



**CITY OF OPELIKA  
PLANNING COMMISSION  
REGULAR MEETING AGENDA  
300 Martin Luther King Blvd.  
March 28, 2023  
TIME: 3:00 PM**

- I. WELCOME - Some items at this meeting will have a designated public hearing (noted below). Individuals are limited to one 5-minute comment period per public hearing.
- II. APPROVAL OF MINUTES
- III. UPDATE ON PREVIOUS PC CASES
- IV. NEW BUSINESS
  - A. **Plat (Preliminary & Final) - Public Hearing**
    - 1. Perryman Hill Plaza Plat No 1 SD, 5 lots, Veterans Parkway & Highway 280, Jerry South, Preliminary and Final Approval
    - 2. Lot 1-A Bodine SD, 1 lot, Grand National Parkway & Highway 280, Barrett-Simpson, Inc., Preliminary and Final Approval
  - B. **CONDITIONAL USE - Public Hearing**
    - 3. Jody Pate, Stark Exterminators, 601 South 7th Street, C-3, GC-S, Office of Contractor without material and equipment yard
    - 4. Yolanda Core, 503 Martin Luther King Blvd., C-2, GC-S, Carry-out restaurant
    - 5. Wade Weekley, 181 Columbus Parkway, C-3, GC-S, Grave Monument Sales-Outside Display of Products
    - 6. Bolt Engineering, Inc., Frederick Road & Cunningham Drive, C-2, GC-P, Rich's Car Wash
  - C. **ANNEXATION AND REZONING - Public Hearing**
    - 7. Annexation, The Infinity Group LLC, David A. Gethers, managing member, 2700 block Shelton Mill Road, 46,860 square feet, a C-2 zoning district is requested
    - 8. Rezoning Request, The Infinity Group LLC, David A. Gethers, managing member, 2700 block Shelton Mill Road, 46,860 square feet, R-1 to C-2 subject to City Council approval of Annexation

*"In compliance with the Americans with Disabilities Act, the City of Opelika will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to*

*participate in this meeting, please contact the ADA Coordinator 72 hours prior to the meeting at (334)705-5130.”*



# PLANNING COMMISSION MINUTES

300 Martin Luther King Blvd.

**February 28, 2023**

**TIME: 3:00 PM**

- I. WELCOME - Some items at this meeting will have a designated public hearing (noted below). Individuals are limited to one 5-minute comment period per public hearing.

II. APPROVAL OF MINUTES

The City of Opelika Planning Commission held its regular monthly meeting February 28, 2023 in the Meeting Chambers, located at the Opelika Municipal Court. Certified letters have been mailed to all adjacent property owners for related issues.

**MEMBERS PRESENT:** Chair Lucinda Cannon, Mr. Ira Silberman, Councilman George Allen, Dr. Arturo Menefee, Mrs. Leigh Whatley, Mr. Jay Walters, Mr. Michael Hilyer, and Mr. John Sweatman.

**MEMBERS ABSENT:** Mayor Gary Fuller

**STAFF PRESENT:** Mr. Matt Mosley, Planning Director  
Mr. Martin Ogren, Assistant Planning Director  
Mrs. Rachel Dennis, Planner  
Mr. Scott Parker, City Engineer  
Mr. Guy Gunter, City Attorney

**CALL TO ORDER:** Chair Lucinda Cannon called the meeting to order at 3:00 p.m.

## **Approval of Planning Commission Minutes January 24, 2023**

|                  |                                                                                                        |
|------------------|--------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>Passed</b>                                                                                          |
| <b>MOVER:</b>    | Director Mike Hilyer                                                                                   |
| <b>SECONDER:</b> | Arturo Menefee                                                                                         |
| <b>AYES:</b>     | Chair Cannon, Whatley, Silberman, Director Hilyer, Menefee, Councilman Ward 1 Allen, Sweatman, Walters |
| <b>NAYS:</b>     | None                                                                                                   |
| <b>ABSTAIN:</b>  | None                                                                                                   |

III. UPDATE ON PREVIOUS PC CASES

Mr. Mosley stated that there were no specific updates of cases at this time. He did note that the Firefly rezoning was going to City Council for a public hearing at the second meeting in March.

Mr. Mosley also asked the Planning Commission to reorder Items 1 and 2 to allow the Planning Commission to discuss the use prior to the subdivision.

#### IV. NEW BUSINESS

##### A. **PLAT (Preliminary Only) and Conditional Use - Public Hearing**

2. Bryan Stone, authorized representative for Sallie H. Deen, property owner, Waverly Place, Hillpointe Twin Homes, 41 units

Mr. Mosley presented the Hillpoint Twin Home conditional use duplex request. He noted that this property had been previously before the Planning Commission in various configurations. He stated this request was for 17 twin home duplexes totaling 34 dwelling units. He stated that the developer had noted that they were targeting a senior demographic. Mr. Mosley also stated that there was a large area of undevelopable open space.

**Mr. Mosley stated that Planning Staff was recommending approval of the conditional use plat subject to the following conditions:**

1. **Add note on plat who will maintain the two open space lots (19,588 sf and 1.4 acres).**
2. **Sidewalks should be located on one side of the street.**
3. **All utilities are required to be underground.**
4. **The following recommendations for the Hillpointe subdivision (agenda #A-1) are required for final plat approval.**
  - a. **Sidewalks required on at least one side of the street.**
  - b. **All utilities shall be underground.**
  - c. **Add lot numbers for the two open space lots.**
  - d. **Add the names and addresses of adjacent property owners on final plat.**
  - e. **Label the remaining part of Parcel D as “Unbuildable Parcel, Preserved as Common Area” on the final plat.**
  - f. **Add a note on final plat who is responsible for the maintenance of the two open space lots (19,588 sf and 1.4 acres).**
  - g. **Designate a 20’ wide area along the east property line adjacent to the twin homes as “20’ natural undisturbed buffer yard”**

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services.

Chair Cannon opened the public hearing.

Bryan Stone, 1851 Hunt Lane, stated that he was the developer for the project. He noted that he had new color renderings for the development that really showed what he wanted to see built. He stated it would not be marketed as active adult, but it would be geared that way. He also noted that the entire development would be maintained by HOA to create consistency. He stated that he knew there was concern about drainage, but he stated his engineer was designing this to handle a 100-year flood event. He also explained that they were setting aside a lot of undisturbed open space.

Leslie Phillips, 409 Waverly Place, stated that she was concerned about traffic and emergency access. She believed that there were too many homes for the current exit. She stated that there needed to be a second outlet onto Waverly Boulevard.

Mary Eason, 613 Waverly Place, asked for the item to be tabled so that there was more time for residents to review the request. She stated she was not against what the developer wanted to

do, but wanted to make sure that their neighborhood was preserved.

States Skipper, 707 Waverly Place, stated that he was concerned about the stream and what the Corp of Engineers would say about it. He was worried about flooding and erosion related to new development and how it will impact the stream.

Mr. Stone answered that he had a wetlands consultant review the stream and wetlands to examine the impacts. He further explained that the existing pipe at the crossing would need to be replaced as it was insufficient. He stated that existing pipe meant the project would be viewed by the Corp of Engineers as a remediation project instead of a new crossing.

Helen Foster, 728 McDonald Drive, stated that she was concerned about the impact of the development on her neighborhood. She stated that there was once a street connection, but that had been dedicated to individual property owners. She noted that her neighborhood had experienced some serious flooding problems. She stated the area behind her home was an animal corridor and that needed to be preserved. She was specifically concerned about bats which she said were endangered.

Armand Crowder, 601 Waverly Place, stated that he was chairman of the landscape committee for Waverly Place. He noted that there were some concerns about water. He stated he was proud of landscape and design of his neighborhood. He wanted to make sure it maintained that character. He explained that he was worried about the beauty of the new development. He was also concerned about elderly residents crossing the street.

Sallie Joiner, 700 Waverly Place, stated that she was concerned about the streets. She noted that she had moved here before the rest of the development was finished 17 years ago. She stated she had no objection to what was being proposed.

D. Mark Mitchell, 405 Waverly Place, stated that he appreciated the Planning Commission and echoed the comments of his neighborhood. He was concerned about the intersection coming out of Waverly Place turning left. He thanked Mr. Hilyer for past help with the intersection, but was worried it would be dangerous to add more cars coming through the same intersection.

Chair Cannon closed the public hearing.

### **Motion to grant conditional use approval with staff recommendations**

|                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>     | <b>Passed</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>MOVER:</b>      | John Sweatman                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>SECONDER:</b>   | Leigh Whatley                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>DISCUSSION:</b> | Commissioner Silberman asked if there only two designs of units. He asked if they would all be identical.<br><br>Mr. Stone stated that he planned to have multiple elevations based on the same plan.<br><br>Commission Silberman asked if the units would face the street or the side.<br><br>Mr. Stone clarified that the layout would have front door facing the street. He also added that the units would be fiber cement, brick, and other quality materials. He stated that there would be no vinyl on the building. |

Commissioner Silberman asked who will handle the maintenance of the property.

Mr. Stone responded that there were enough units that there would be an HOA management company that would handle maintenance.

Councilman Allen asked what considerations the developer had given to the traffic situation.

Mr. Stone stated that there were not many homes that this development would pass. He stated that the City Engineer had also looked at the property and felt comfortable with the existing road capacity.

Commissioner Sweatman asked the developer to address the concerns over water that had been raised and how detention was being handled.

Mr. Stone stated that his engineer, David Slocum, was present. Mr. Stone stated that due to the proximity of these homes to the creek, he thought that this might be an instance where it is better for the water to flow directly in, instead of being detained. He also noted that the site was graded away from McDonald Downs and towards the creek.

Councilman Allen asked if the current conditions would require traffic to be studied.

City Engineer Scott Parker, responded that in these instances staff looks at the current capacity and the number of units being added. He stated that 34 units would not be considered a huge impact on the existing network. He noted that traffic count from ALDOT was about 4,000 vehicles a day. He noted that on Veterans Parkway near Water Street there were about 5,500 vehicles per day. He stated that in his opinion, the addition of these homes in addition to surrounding development did not warrant a traffic impact study at this time.

Commissioner Sweatman asked if the speed limit was recently lowered on Waverly Parkway.

Mr. Parker responded that the speed limit was 35 miles per hour at this location.

Commissioner Silberman asked if this development required any state approvals related to the street.

Mr. Parker stated that it was a locally controlled street now.

Mr. Jay Walters asked where the parking would be for these units.

Mr. Stone stated that there would be a parking pad for each unit located completely off the right-of-way.

**AYES:** Cannon, Whatley, Silberman, Director Hilyer, Menefee, Councilman Ward 1 Allen, Sweatman, Walters

|                 |      |
|-----------------|------|
| <b>NAYS:</b>    | None |
| <b>ABSTAIN:</b> | None |

1. Hillpointe SD, Part of Parcel D, 41 lots, Waverly Place, Harris Gray, LLC, authorized representative for Sallie H. Deen, property owner, Preliminary Approval

Mr. Mosley presented the staff report to the Planning Commission for Hillpointe Subdivision, Part of Parcel D. He noted that this was a 38 subdivision and was zoned R-3. He explained that the subdivision was for the conditional use that the Planning Commission just approved. Mr. Mosley stated that staff was recommending preliminary plat approval subject to the following:

1. Sidewalks required on at least one side of the street.
2. All utilities shall be underground.
3. Add lot numbers for the two open space lots.
4. Add the names and addresses of adjacent property owners on final plat.
5. Label the remaining part of Parcel D as “Unbuildable Parcel, Preserved as Common Area” on the final plat.
6. Add a note on final plat who is responsible for the maintenance of the two open space lots (19,588 sf and 1.4 acres).
7. Designate a 20’ wide area along the east property line adjacent to the twin homes as “20’ natural undisturbed buffer yard”.

Mr.Scott Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He stated that the applicant would need to submit construction drawings for the road. He also noted that construction would of the public infrastructure would be monitored to ensure compliance with regulations.

Chair Cannon opened the public hearing.

There was no comment.

Chair Cannon closed the public hearing.

#### **Motion to grant preliminary approval with staff recommendations.**

|                  |                                                                                                  |
|------------------|--------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>Passed</b>                                                                                    |
| <b>MOVER:</b>    | Director Mike Hilyer                                                                             |
| <b>SECONDER:</b> | John Sweatman                                                                                    |
| <b>AYES:</b>     | Cannon, Whatley, Silberman, Director Hilyer, Menefee, Councilman Ward 1 Allen, Sweatman, Walters |
| <b>NAYS:</b>     | None                                                                                             |
| <b>ABSTAIN:</b>  | None                                                                                             |

#### **B. CONDITIONAL USE - Public Hearing**

3. Mike Maher and Paul Brumett, authorized representative for Jimmy Golden, property owner, 1550 North Uniroyal Road, R-2, GC-P, New Church Sanctuary

Mr. Mosley presented the staff report for the proposed conditional use request of a church on North Uniroyal Road. He explained that churches were conditional uses in all zones. He

showed the Planning Commission the revised site plan and landscape plans. Mr. Mosley stated that staff recommended conditional use approval subject to the following:

1. Front façade shall be consistent or equivalent to the example elevation provided in terms of architecture and materials. Improved materials shall be used on the east side due to the increased visibility to North Uniroyal Road.
2. Add to the landscape plan a detailed residential buffer along the east side of the property by choosing an option provided in the zoning ordinance Section 10. 6. D. 1. a., b., or c.
3. Revise the landscape plan to meet the minimum 285 base points and 221 parking lot points based on the maximum capacity of the church buildings.
4. If a dumpster is to be added, the location will need to be reviewed by Planning and dumpster screening on all sides.
5. Outside lighting must meet the Gateway Corridor requirements in Section 7.6, B., 6, a.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services.

Chair Cannon opened the public hearing.

There was no public comment.

Chair Cannon closed the public hearing.

#### **Motion to grant conditional use approval with staff recommendations**

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|------------------|--------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>Passed</b>                                                                                    |
| <b>MOVER:</b>    | Councilman Ward 1 Willie Allen                                                                   |
| <b>SECONDER:</b> | Director Mike Hilyer                                                                             |
| <b>AYES:</b>     | Cannon, Whatley, Silberman, Director Hilyer, Menefee, Councilman Ward 1 Allen, Sweatman, Walters |
| <b>NAYS:</b>     | None                                                                                             |
| <b>ABSTAIN:</b>  | None                                                                                             |

4. Marrell J. McNeal, authorized representative for Farm Family Limited Partnership, property owners, 2611 Columbus Parkway, C-3, GC-P & R-2, Event Venue

Mr. Mosley presented the staff report for the proposed conditional use request of a rural event center located on Birmingham Highway. He noted that the use was similar to a previous use that the applicant brought to the Planning Commissioner the previous year. He stated that the applicant was looking at another location on their farm, but moved it to the proposed site to use the existing barn. Mr. Mosley stated that staff recommended conditional use approval subject to the following:

1. Install a 6 foot opaque fence along the east property line to visually screen the event meeting place (barn) and extend said fence along property line to screen all outside areas planned for outside gatherings and ceremonies near the venue meeting place (barn).

2. Noise generated by the use, as measured at any property line, shall not exceed 55 decibels (dB) between the hours of 7:00 p.m. and 7:00 a.m., and shall not exceed 60 decibels (dB) at any other time.
3. No event shall exceed 200 guests.
4. Restroom facilities shall be required commensurate with the attendance of the event. Improvements to septic system shall be approved by Lee County Health Department.
5. No events shall begin prior 8 am any day of the week. Additionally, staff recommends that Sunday – Thursday no event end later than 9 pm. On Friday – Saturday no event end later than 10 pm. All event lighting shall be turned off by 11 pm.
6. No overnight accommodations shall be permitted.
7. No camping or RVs shall be permitted without further approval by the Planning Commission.
8. Any enclosed indoor facilities, additional amenities or expansions that increase capacity shall be approved by the Planning Commission.
9. Any structures to be used in connection with the venue shall comply with the adopted building and fire codes for the City of Opelika.
10. All lighting shall be directed or shielded so that it does not shine on adjacent properties.
11. Parking shall be limited to designated areas. Access lanes to the event space must be reviewed by the Opelika Fire Department. Vehicles must be parked to not obstruct emergency personnel.
12. Any use of fireworks must be reviewed and approved by the City of Opelika Fire Department.
13. Trash or garbage collection shall be coordinated with the City of Opelika Environmental Services.
14. All regulations enforced through other agencies, (i.e. Federal, State, and other Local authorities) must be met. These include, but are not limited to, building codes, fire codes, health department regulations, groundwater protection, etc.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services.

Chair Cannon opened the public hearing.

There was no public comment.

Chair Cannon closed the public hearing.

**Motion to grant conditional use approval with staff recommendations**

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|------------------|--------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>Passed</b>                                                                                    |
| <b>MOVER:</b>    | Arturo Menefee                                                                                   |
| <b>SECONDER:</b> | Councilman Ward 1 Willie Allen                                                                   |
| <b>AYES:</b>     | Cannon, Whatley, Silberman, Director Hilyer, Menefee, Councilman Ward 1 Allen, Sweatman, Walters |
| <b>NAYS:</b>     | None                                                                                             |
| <b>ABSTAIN:</b>  | None                                                                                             |

5. Gustavo Diaz Cax, property owner, 114 Brannon Avenue, R-4, Multiple buildings on single lot (single family home and duplex)

Mr. Mosley presented the staff report for the proposed conditional use request of a duplex at 114 Brannon Avenue. He explained that the site had a current single-family home located at the front. Mr. Mosley stated that adding additional single-family or duplex units to a lot is allowed conditionally in zones that allow apartments. He explained that there were a few lots in the surrounding area that had multiple single-family or duplex units on them. Mr. Mosley stated that the most important aspect of this use was to ensure that the units fit in with the character of the neighborhood. He stated that the character of the proposed units should be compatible with other homes based on size, orientation, roof slope and other aspects. He also stated that the state was heavily regulating the use as well. Mr. Mosley stated he did not think the site was proposing a drive-through window. Mr. Mosley stated that staff recommended conditional use approval subject to the following:

1. Exterior cladding materials shall primarily be brick, stone, wood, or fiber cement siding to be in harmony with the existing single-family homes.
2. The building shall compliment the character of the neighborhood, including building style, building materials, roof pitch, and orientation.
3. Update the site plan to include the recent room addition, gravel parking, and accessory structure if it is to stay on the property.
4. Provide a residential zone buffer from Section 10.6, D., 1., a. listed in the report on both sides and rear property lines.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services.

Chair Cannon opened the public hearing.

Linburgh B. Jackson, the applicant, stated that he felt the requirement for a buffer was excessive to the development. He stated that there was already an existing fence along the boundaries of the property. He stated that they have spent close to \$100,000 on the site already. He added that there was a huge need for affordable housing. He stated that there would be almost 500 feet of buffer because of the long shared boundaries. He felt the fence was more than sufficient.

Chair Cannon closed the public hearing.

### **Motion to grant conditional use approval with staff recommendations**

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| <b>RESULT:</b>     | <b>Passed</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>MOVER:</b>      | Councilman Ward 1 Willie Allen                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>SECONDER:</b>   | Director Mike Hilyer                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>DISCUSSION:</b> | <p>Commissioner Silberman asked Mr. Mosley what would be the objection to removing the buffer would be.</p> <p>Mr. Mosley stated that the ordinance treats multiple single-family homes and duplexes on a lot as if they were an apartment, so we applied the buffer that would be required for an apartment. He conceded that this instance is different from other applications where multi-family development and single-family homes meet.</p> <p>Commissioner Silberman asked if staff felt the request was an improvement to the neighborhood.</p> |

Mr. Mosley answered that generally, reinvesting in older neighborhoods is a positive outcome.

Councilman Allen stated that if the removal of the buffer is not detrimental to the neighborhood, he felt the Commission should support it.

Councilman Allen amended his motion to remove condition #4 requiring a buffer along adjoining property lines.

Commissioner Hilyer agreed to the removal of the condition as the second.

**AYES:** Whatley, Silberman, Director Hilyer, Menefee, Councilman Ward 1 Allen, Sweatman, Walters

**NAYS:** Cannon  
Chair Cannon stated her objection was to the removal of the required buffer, not to the use.

**ABSTAIN:** None

### C. **REZONING - Public Hearing**

6. (a) Amendment to the Future Land Use Map, accessed from Anderson Road, 229.2 acres, from a low density residential land use category to a mixed use category.

- (b) Rezoning request, Foresite Group, LLC, authorized representative for Keith B. Norman, Electra Estates, 229.2 acres, accessed from Anderson Road, from R-1 to PUD

Mr. Mosley reported that these two items had previously been before the Planning Commission under the name Hopson Farms or Electra Estates, but was now called Dickson Farms. He noted that at the previous meeting the Planning Commission sent a negative recommendation to the Opelika City Council for that request. Mr. Mosley stated that applicant re-evaluated his request in light of the recommendation and withdrew that application prior to taking it to City Council. The applicant was now back with a similar, but revised request. He explained the new proposal removed the commercial and apartment sections and replaced them with a cottage home concept that uses shared drives. He also noted that the applicant had removed all 40-foot lots and replaced them with 50-foot or greater lots. He explained that this reduced the overall unit count by 217 units down to 920 total residential units. Mr. Mosley stated the rezoning request from R-1 to PUD for a mixed use community requires an amendment to the 2030 FLUM concerning the land use category. The 2030 Future Land Use Map shows the 229.2-acre property as a “low density residential” land use category. If the rezoning request to PUD is approved by City Council, then the 2030 FLUM should be amended so the 229 acres are in a “planned unit development” land use.

Mr. Parker provided the reports for Engineering, Opelika Utilities Board, and Opelika Power Services. He noted that any requirements to the roadway would be analyzed through a traffic impact study when the preliminary plat is submitted.

Chair Cannon opened the public hearing for both items.

Mr. Mosley stated that they did receive a letter from Mr. Jack Swarthout and would place it in the record.

Jack Swarthout, 4230 Anderson Road, stated that he had serious concerns about the exponential growth that this part of Opelika was seeing. He asked how the impacts to traffic were being considered. He stated that the existing roadways have too much congestion on them. He asked specifically whether a traffic study for the area overall was performed or if only the ingress and egress to the site would be examined. He also stated that the plan he received in the mail was too small and did not have sufficient information.

Mr. Scott Parker, City Engineer, stated that there was about about 736 cars on Andrews Road and Anderson Road. He did not feel this was congested. He added that the City is also looking to advance the idea of a northern perimeter road to go through this part of town.

Garrett Jernigan, 3519 Anderson Road, stated that lots in the area are mostly 1-5 acres. He did not feel that four to eight units per acre was consistent with the area. He felt there should be more buffering between the properties. He also asked if there was city sewer available to the area. He thought this development would lead to too many cars going through the Anderson Road and Andrews Road intersection.

Commissioner Hilyer, Public Works Director, answered that there would be city sewers for the property.

Elizabeth Herring, 1103 Andrews Road, stated that her current plan was to move back to Opelika. She stated that there were more than 700 cars a day on these streets, especially when there are events at the Sportsplex. She felt there was ample housing located closer to the Sportsplex. She asked the Planning Commission to consider denying the application.

Warren Jolly, the applicant, stated that they have made substantial changes to the new plan based on responses they heard at the last meeting from the Planning Commission and adjoining property owners. He felt this would be a great addition to Opelika and stated that there would not be anything like this in Opelika. He explained that the cottage homes would be 1.5 story homes. He said there would be a 25 foot buffer with a berm that would help shield the development from neighbors. He stated that their traffic counts were consistent with staff. He felt that the changes to the plan reduced the traffic by about 37 percent by removing units and dropping the commercial development. He said his engineers looked at site distance and will make sure that best location for the drive is finalized. Mr. Jolly also stated that he planned to make sure that the development had street trees.

Brandy Kyles, 3501 Anderson Road, stated that she appreciated the commercial being removed. She said she would like to see a more substantial buffer and the more dense parts moved away from the exterior and the roadway. She noted that she has problems with 18 wheelers missing their turns and having to back up down the roadway.

Chair Cannon closed the public hearing.

**Motion to grant a positive recommendation with staff recommendations to City Council for the rezoning**

|                  |                                |
|------------------|--------------------------------|
| <b>RESULT:</b>   | <b>Passed</b>                  |
| <b>MOVER:</b>    | Councilman Ward 1 Willie Allen |
| <b>SECONDER:</b> | John Sweatman                  |

|                 |                                                                                       |
|-----------------|---------------------------------------------------------------------------------------|
| <b>AYES:</b>    | Cannon, Whatley, Director Hilyer, Menefee, Councilman Ward 1 Allen, Sweatman, Walters |
| <b>NAYS:</b>    | None                                                                                  |
| <b>ABSTAIN:</b> | Ira Silberman                                                                         |

**Motion to amend the future land use classification**

|                  |                                                                                       |
|------------------|---------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>Passed</b>                                                                         |
| <b>MOVER:</b>    | Councilman Ward 1 Willie Allen                                                        |
| <b>SECONDER:</b> | John Sweatman                                                                         |
| <b>AYES:</b>     | Cannon, Whatley, Director Hilyer, Menefee, Councilman Ward 1 Allen, Sweatman, Walters |
| <b>NAYS:</b>     | None                                                                                  |
| <b>ABSTAIN:</b>  | Ira Silberman                                                                         |

**V. ADJOURN**

**Motion to adjourn at 4:51 p.m.**

|                  |                                                                                                  |
|------------------|--------------------------------------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>Passed</b>                                                                                    |
| <b>MOVER:</b>    | Councilman Ward 1 Willie Allen                                                                   |
| <b>SECONDER:</b> | John Sweatman                                                                                    |
| <b>AYES:</b>     | Cannon, Whatley, Silberman, Director Hilyer, Menefee, Councilman Ward 1 Allen, Sweatman, Walters |
| <b>NAYS:</b>     | None                                                                                             |
| <b>ABSTAIN:</b>  | None                                                                                             |

\_\_\_\_\_ Lucinda Cannon, Chair

\_\_\_\_\_ Matt Mosley, Secretary



**APPLICATION FOR  
SUBDIVISION APPROVAL**  
PLANNING DEPARTMENT  
700 FOX TRAIL  
OPELIKA, AL 36801



*Enrollment 000 122-2023*

DEADLINE: Mar 7, 2023 MEETING: Mar 28, 2023

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                         |                                                                                                                                                                                                                             |
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| <b>SITE ADDRESS:</b> <u>SW Corner Veterans Pkwy and US Hwy 280</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                         |                                                                                                                                                                                                                             |
| <b>PROPERTY OWNER:</b> <u>Perryman Hill, LLC</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                         |                                                                                                                                                                                                                             |
| <b>APPLICANT/AUTHORIZED REPRESENTATIVE:</b> <u>Jerry South</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                         |                                                                                                                                                                                                                             |
| <b>MAILING ADDRESS:</b> <u>1550 Woods of Riverchase Dr, Suite 200, Hoover, AL 35244</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                         |                                                                                                                                                                                                                             |
| <b>PHONE NUMBER:</b> <u>205-942-2486</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>FAX NUMBER:</b> <u>N/A</u>           |                                                                                                                                                                                                                             |
| <b>EMAIL ADDRESS:</b> <u>jsouth@gonzalez-strength.com</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                         |                                                                                                                                                                                                                             |
| <b>TYPE OF PLAT APPROVAL REQUESTED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                         |                                                                                                                                                                                                                             |
| <input type="checkbox"/> SKETCH PLAN                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/> ADMINISTRATIVE | <input checked="" type="checkbox"/> PRELIMINARY                                                                                                                                                                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                         | <input type="checkbox"/> FINAL                                                                                                                                                                                              |
| Does the subdivision require any other official action by the City? <small>No</small>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                         |                                                                                                                                                                                                                             |
| <input type="checkbox"/> Annexation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/> Rezoning       | <input type="checkbox"/> Other _____                                                                                                                                                                                        |
| <b>PARCEL INFORMATION</b><br>Subdivision Name: <u>Perryman Hill Plaza Plat No 1</u><br>Current Land Use: <u>Undeveloped</u><br>Current Zoning: <u>C - 2</u><br>Proposed use of the Subdivision: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                         | Number of Lots: <u>5</u> x \$3.00 = \$ <u>15.00</u><br>Number of APO: <u>4</u> x \$7.00 = \$ <u>28.00</u><br>(Adjacent Property Owners)<br>Fee: <u>\$75.00</u><br><b>TOTAL</b> = <u>118.00</u><br><b>PAID</b> <u>118.00</u> |
| <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial<br><input type="checkbox"/> Manufacturing/Industrial <input type="checkbox"/> Office/Institutional                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                         |                                                                                                                                                                                                                             |
| I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) <u>Perryman Hill Plaza Plat 1</u> Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request. |                                         |                                                                                                                                                                                                                             |
| <b>OWNERS/AUTHORIZED REPRESENTATIVE SIGNATURE:</b><br><div style="text-align: center;"> </div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                         | 3/6/2023<br>DATE                                                                                                                                                                                                            |
| (PRINT NAME) <u>Jerry South</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                         |                                                                                                                                                                                                                             |

**City of Opelika**  
**Planning Commission**  
**Planning Department Report**

---

**Meeting Date:** March 28, 2023

**Subdivision:** Perryman Hill Plaza Plat No 1

**Agenda Item #:** A-1

**Action Requested:** Preliminary and Final Approval

**Location of Property:** 3600 block Birmingham Hwy

**Property Owner(s):** Perryman Hill, LLC  
Jerry South, authorized representative

**Current Land Use:** Undeveloped

**Current Zoning:** C-2, GC-P

**Flood Zone:** FEMA – November 2, 2011 – MAP#01073C0586G – all in  
“Zone X” Zone X area is outside the 0.2% annual chance  
floodplains

**Staff Comments:**

The applicant is requesting preliminary and final approval for a 5 lot subdivision located at the southwest corner of Birmingham Hwy and Veterans Parkway. This same subdivision was granted preliminary approval at the January 24<sup>th</sup> Planning Commission meeting; only preliminary approval was granted because street construction was required. The applicant is requesting preliminary and final approval so the plat can be recorded to complete the sale of Lot 1 and Lot 4.

The plat shows Lot 2 (0.29 acres) and Lot 3 (2.05 acres) fronting along Lot 4. Lot 4 (2.48 acres) will be constructed as a street from Birmingham Highway to Veterans Parkway. After street construction then Lot 4 will become right of way, and Lot 2 and Lot 3 will have public street access. The large square portion of Lot 4 is a single-lane roundabout. Lot 1 (12.6 acres) and Lot 5 (33.7 acres) have access to Birmingham Hwy and Veterans Parkway.

The applicant is requesting preliminary and final approval so the plat can be recorded to sale Lot 1 and Lot 4. A note is added to the plat (note #1) that prohibits a building permit on Lot 2 and Lot 3 until the street and roundabout on Lot 4 are constructed to City standards and accepted by the City.

The lot area and lot widths of the five lots have not changed from the January 24<sup>th</sup> PC staff report: The subdivision is in a C-2, GC-P zoning district; minimum lot size is 20,000 sf and lot width is 100 sf. The lot widths of the 5 lots range from 113 feet to 513 feet. Each lot meets the minimum requirements: Lot 1 (12.6 acres), Lot 2 (12,698 sf), Lot 3 (89,408 sf) and Lot 4 (2.48 acres). Lot 5 (33.73 acres) is reserved for future development.

Planning staff recommends preliminary and final plat approval.

1. Add adjacent property owners and address for property to the south and west.

---

### **Engineering Department Report**

The applicant will be required to submit a site construction and grading plan for the drainage, utility, post construction detention, and roadway installation to the Engineering and Public Works Departments for review and approval. Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits.

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### **Opelika Utilities Board Report**

Water is available from both Veteran's Parkway and U.S. Highway 280. No other comments.

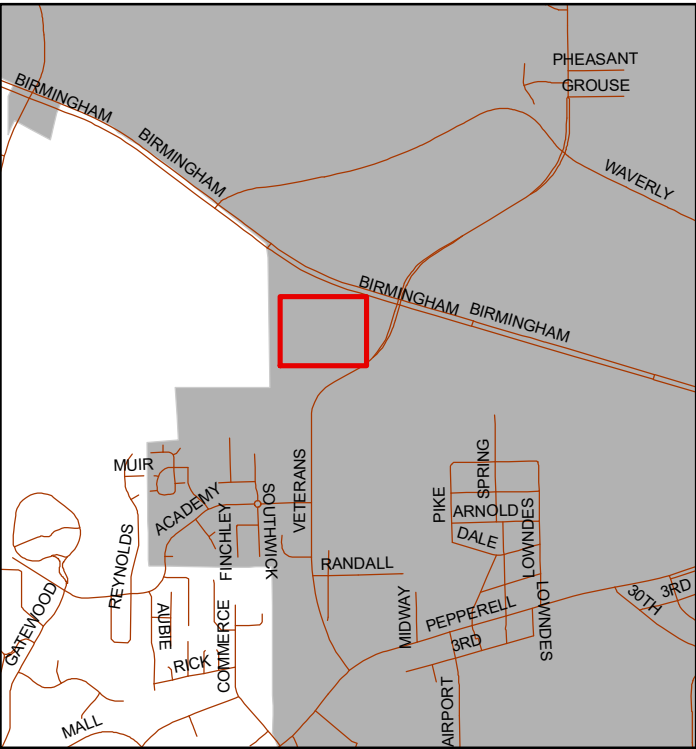
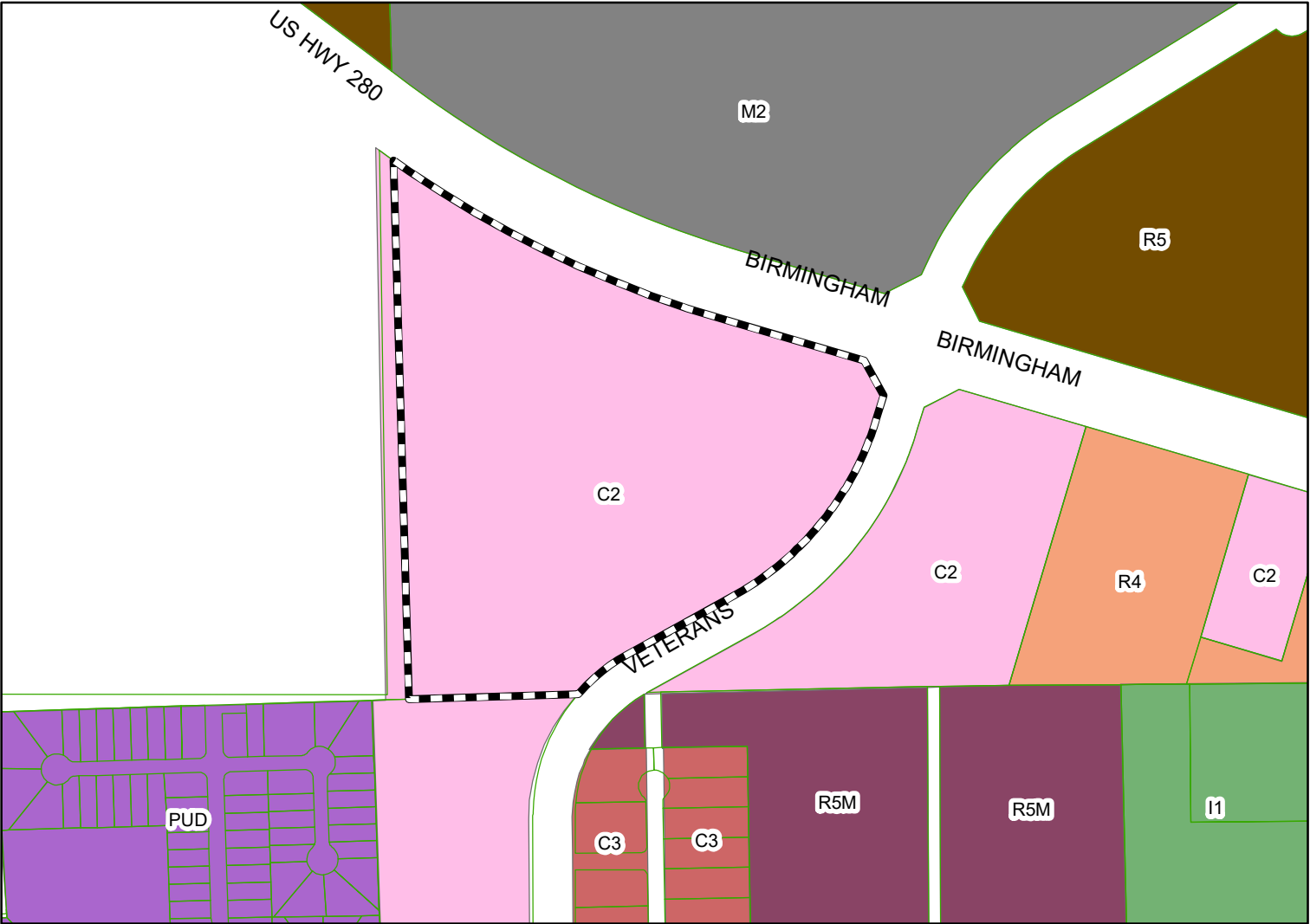
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### **Opelika Power Services Report**

This subdivision is inside the Opelika Power Service territory.

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PERRYMAN HILL PLAZA NO 1 SUBDIVISION  
3600 BLOCK BIRMINGHAM HIGHWAY  
PRELIMINARY AND FINAL APPROVAL, A-1

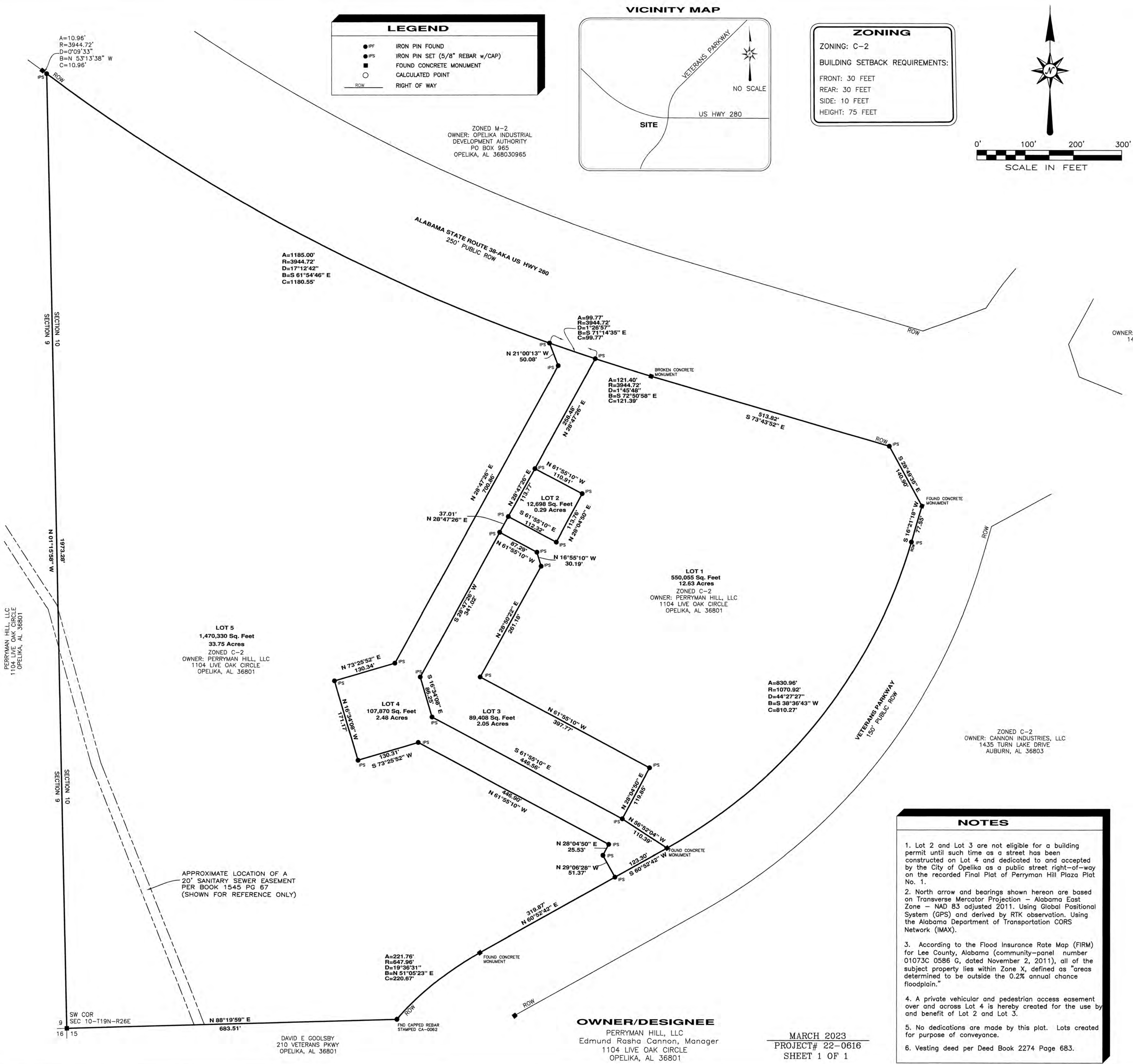


The applicant is requesting preliminary approval for a five lot subdivision. The property is located in the C-2, GC-P zoning district.



Subject Property

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without



I, Derek S. Meadows, a registered land surveyor in the State of Alabama, certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the standards of practice for land surveying in the State of Alabama, to the best of my knowledge, information and belief. I have calculated for closure by Latitudes and Departures, and the survey and drawing are found to be accurate within one foot in 10,000 feet.

Given under my hand and seal this the 6<sup>th</sup> day of March, 2023.

Derek S. Meadows  
Derek S. Meadows, PLS  
Alabama Registration No. 29996

STATE OF ALABAMA,  
SHELBY COUNTY

I, undersigned authority, a notary public in and for said County, in said State, hereby certify that Derek S. Meadows, whose name is signed to the foregoing instrument as Surveyor, and is known to me, acknowledged before me on this date that, being informed that the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 6<sup>th</sup> day of March, 2023.

Belinda R. Dennis  
Notary Public  
2/26/24  
My commission expires:

STATE OF ALABAMA,  
LEE COUNTY

Perryman Hill, LLC, owner of the real property shown on this plat, hereby joins in the statement of Derek S. Meadows and certify that it was and is our purpose to subdivide the lands so platted as shown.

In witness whereof, Perryman Hill, a Limited Liability Company, has caused its name to be signed hereunto by Edmund Rasha Cannon, its Manager.

Edmund Rasha Cannon, Manager  
Perryman Hill, LLC  
DATED: \_\_\_\_\_, 2023.

STATE OF ALABAMA,  
\_\_\_\_\_ COUNTY

I, undersigned authority, a notary public in and for said County, in said State, hereby certify that Edmund Rasha Cannon, whose name is signed to the foregoing instrument as Manager of Perryman Hill, LLC, and is known to me, acknowledged before me on this date that, being informed that the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Notary Public  
My commission expires:

Approval by the Opelika City Planning Commission, Opelika, AL  
\_\_\_\_\_  
Date: \_\_\_\_\_

Approval by the Opelika City Planner, Opelika, AL  
Planner: \_\_\_\_\_ Date: \_\_\_\_\_

Approval by the Opelika Utility Board, Opelika, AL  
Chairman: \_\_\_\_\_ Date: \_\_\_\_\_

Approval by the Opelika Power Services  
Chairman: \_\_\_\_\_ Date: \_\_\_\_\_

Approval by the Opelika Public Works Director  
Chairman: \_\_\_\_\_ Date: \_\_\_\_\_

Approval by the City Engineer, Opelika, Alabama  
Engineer: \_\_\_\_\_ Date: \_\_\_\_\_

## PERRYMAN HILL PLAZA PLAT NO. 1

Being a parcel of land situated in the Southwest one quarter of Section 10, Township 19 North, Range 26 East Lee County, Alabama

Prepared by:

**GONZALEZ - STRENGTH & ASSOCIATES, INC.**  
CIVIL ENGINEERING, LAND SURVEYING, PLANNING, TRAFFIC & TRANSPORTATION

2176 PARKWAY LAKE DRIVE  
HOOVER, ALABAMA 35244  
PHONE: (205) 942-2486  
FAX: (205) 942-3033  
www.Gonzalez-Strength.com

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**APPLICATION FOR  
SUBDIVISION APPROVAL**  
PLANNING DEPARTMENT  
700 FOX TRAIL  
OPELIKA, AL 36801



ENR 600 000102-2023

DEADLINE: \_\_\_\_\_

MEETING: MARCH 28<sup>th</sup>

**SITE ADDRESS:** Highway 280 & Grand National Blvd

**PROPERTY OWNER:** JD Real Properties LLC

**APPLICANT/AUTHORIZED REPRESENTATIVE:** Barrett-Simpson, Inc.

**MAILING ADDRESS:** 706 12th Street, Phenix City, Alabama 36867

**PHONE NUMBER:** 334-297-2423 **FAX NUMBER:** 334-297-2449

**EMAIL ADDRESS:** tsimpson@barrett-simpson.com; wp ruett@barrett-simpson.com

**TYPE OF PLAT APPROVAL REQUESTED**

☐ SKETCH PLAN ☐ ADMINISTRATIVE ☐ PRELIMINARY ☒ FINAL

Does the subdivision require any other official action by the City?

☐ Annexation ☐ Rezoning ☐ Other \_\_\_\_\_

**PARCEL INFORMATION**

Subdivision Name: Lot 1-A Bodine Subdivison

Current Land Use: Vacant

Current Zoning: C3

Proposed use of the Subdivision: Commercial

☐ Residential ☐ Commercial  
☐ Manufacturing/Industrial ☐ Office/Institutional

Number of Lots: 1 x \$3.00 = \$3.00

Number of APO: 6 x \$7.00 = \$42.00  
(Adjacent Property Owners)

Fee: INVOICED - 3-2-23 \$75.00

**TOTAL** ENR = \$120.00

**PAID** \_\_\_\_\_

I, the undersigned, hereby request the Opelika Planning Commission review the Subdivision Plat for (name of subdivision) Lot 1-A Bodine Subdivison Subdivision. I understand that I must provide certain information as noted in Section 4.2, Section 4.3, and/or Section 4.4 of the Opelika Subdivision Regulations in order for the Planning Commission to review my plans. The City may require additional information or requirements, or waive certain requirements, at any time during the process. Failure to provide accurate and complete information may result in disapproval by the Planning Department and/or Planning Commission. This application, plat, and all other information are submitted with the full authorization and knowledge of the property owner(s). The undersigned below hereby swears to be the authorized applicant designated by the property owner(s) as representative or agent for the property owner(s) and therefore authorized to make said application and submit said documents on this request. The undersigned authorizes the City to inspect the subject property as necessary in reviewing the above referenced request.

**OWNERS/AUTHORIZED**

**REPRESENTATIVE SIGNATURE:**

*Timothy W. Simpson*

(PRINT NAME) Timothy W. Simpson

10/18/22

DATE

**City of Opelika**  
**Planning Commission**  
**Planning Department Report**

---

|                              |                                                                                                                                      |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>Meeting Date:</b>         | March 28, 2023                                                                                                                       |
| <b>Subdivision:</b>          | Lot 1-A Bodine S/D                                                                                                                   |
| <b>Agenda Item #:</b>        | A-2                                                                                                                                  |
| <b>Action Requested:</b>     | Preliminary and Final Approval                                                                                                       |
| <b>Location of Property:</b> | Northwest corner of Grand National Pkwy. and Birmingham Hwy.                                                                         |
| <b>Property Owner(s):</b>    | JD Real Properties LLC<br>Barrett-Simpson, Inc., Tim Simpson, authorized representative                                              |
| <b>Current Land Use:</b>     | Undeveloped                                                                                                                          |
| <b>Current Zoning:</b>       | C-3, GC-P                                                                                                                            |
| <b>Flood Zone:</b>           | FEMA – November 2, 2011 – MAP#01081C0064G & 01081C0062G – all in “Zone X” Zone X area is outside the 0.2% annual chance floodplains. |

**Staff Comments:**

The applicant’s representative, Tim Simpson, requests preliminary and final plat approval for one lot at the northwest corner of Grand National Parkway and Birmingham Highway. The purpose of this plat is to allow Planning Commission to review this request because the applicant is requesting to remove a 50-foot landscape buffer required by the Planning Commission in 1994. The September 27, 1994, minutes explain the 50-foot vegetative buffer along the north and west boundary lines is intended to separate residential and commercial uses.

Currently, the neighboring uses is a residential home to the north and APR to the west. The need for the expanded residential buffer to the west has changed. A buffer to the north would be useful for neighboring residential use. A 50-foot buffer might now be considered excessive since both properties are commercially zoned. The use to the north is residential but zoned for C-2 (Office/Retail). On the north side, a residential buffer option from the Zoning Ordinance Section 10.6, D, 1, selecting a. b. or c. with the increase of a. and b. to ten (10) feet in width or c. as written. This plat meets the minimum requirements in the Subdivision Regulations.

**Staff recommends preliminary and final approval subject to the following:**

- On the north side, a residential buffer option from the Zoning Ordinance Section 10.6, D, 1, selecting a. b. or c. with the increase of a. and b. to ten (10) feet in width or c. as written.

---

### **Engineering Department Report**

The Engineering Department has no comments or concerns with this subdivision and recommends preliminary and final plat approval.

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### **Opelika Utilities Board Report**

Water is available from Grand National Parkway. No other comments.

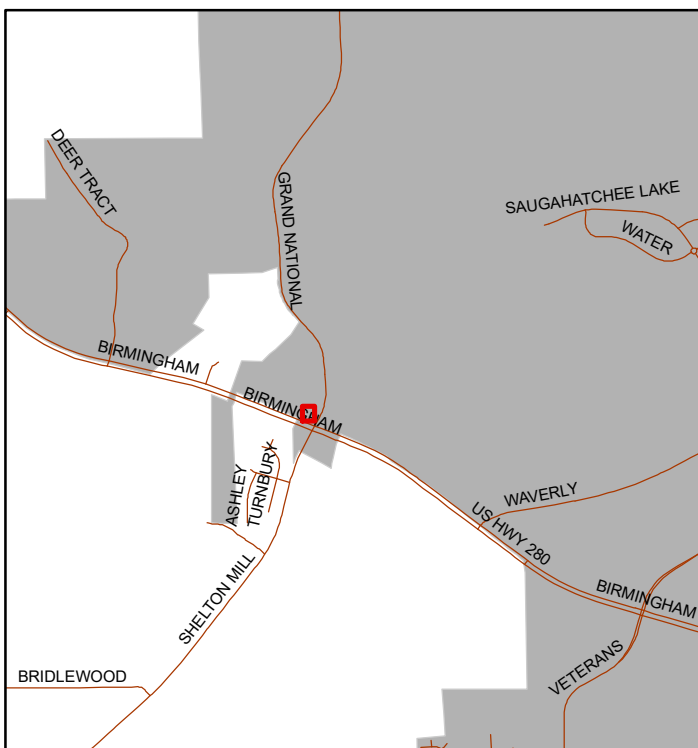
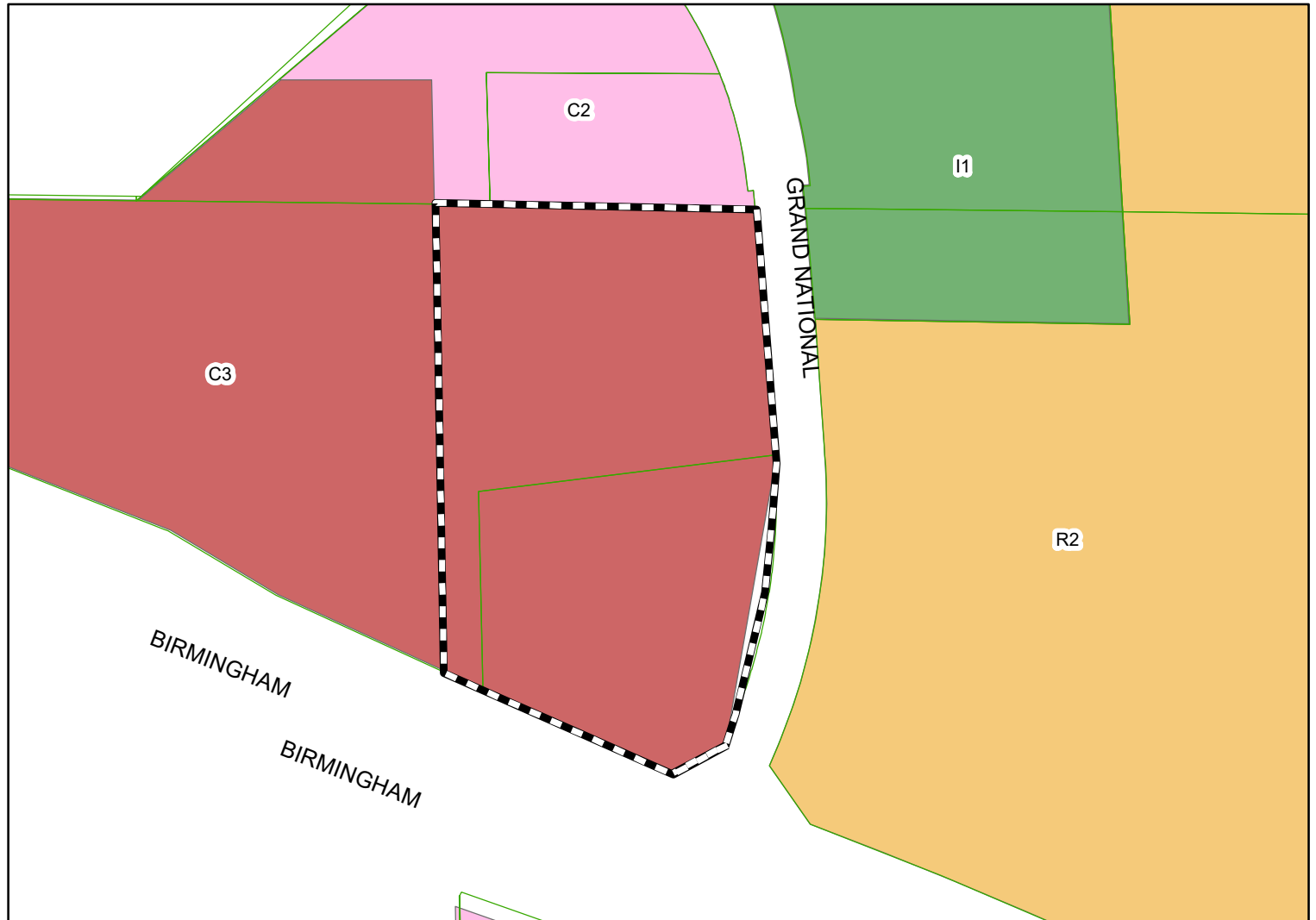
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### **Opelika Power Services Report**

This subdivision is outside the Opelika Power Service territory.

---

**LOT 1-A BODINE SUBDIVISION  
GRAND NATIONAL PARKWAY & HIGHWAY 280  
PRELIMINARY AND FINAL APPROVAL, A-2**



The applicant is requesting preliminary and final approval to remove a buffer along property lines. The property is located in the C-2, GC-P zoning district.



**Subject Property**

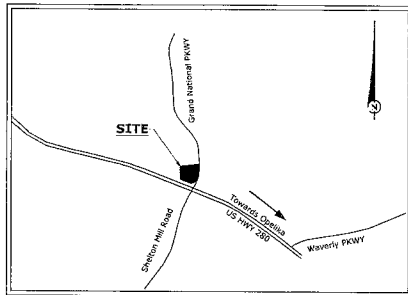
The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without

NOTES:

- Survey North: Grid North based upon NAD83 State Plane Coordinates, Alabama East Zone, US FOOT, RTK GPS using the ALDOT Cors as reference.
- Base for Survey:
  - Deed Book 2673, Page 328, Probate Office, Lee County, Alabama.
  - Deed Book 2675, Page 443, Probate Office, Lee County, Alabama.
  - Bodine Subdivision as recorded in Plat Book 17, Page 36, Probate Office, Lee County, Alabama.
- According to the FEMA FIA NFIP Flood Insurance Map (FIRM), Map No. 01081C0062G & 01081C0064G, effective November 2, 2011, the subject property is located:
  - Zone X (not shaded) - Areas determined to be outside the 0.2% annual chance floodplain.
- This survey was made without the benefit of an attorney's title opinion of title commitment. The surveyor's search of public records was limited to those matters affecting the boundaries of the subject property only. There may be matters of record, such as conveyances, easements, rights-of-way, etc., that affect the title to the subject property which are not known to the surveyor and not disclosed by this survey.
- An easement is hereby granted to the City of Opelika and to any utility company serving the City of Opelika for the purpose of installing, operating, and maintaining poles, lines, guy wires, and other facilities. Total easement width is ten (10) feet wide with five (5) feet off each side of front and side lot lines.
- There was no attempt in the field to determine the location of or the extent of possible encroachments beneath the surface.
- This drawing becomes void if any alterations or changes are made by others.
- This drawing may not be altered or added to without permission from Barrett-Simpson, Inc.
- Development Data:
  - Total Acreage: 10.38 Acres (452,012 Sq. Ft.)
  - Total Number of Lots: 1
- The purpose of this plat is to remove the previous buffer platted along the Western and Northern property lines.

VICINITY MAP

not to scale



LEGEND

- Iron Pin Found and Type
- 1/2" Rebar Set - Orange Cap Stamped AL CA 718 LSF000600
- Concrete Monument Found
- ⊙ Calculated Point
- DB: Deed Book
- PB: Plat Book
- PG: Page
- ( R ) Record Distance or Bearing
- ROW Right - of - Way
- N/F Now or Formerly
- Not to Scale
- OHU Overhead Utility Lines w/ Power Pole
- ⊙ Light Pole

NW Corner of Section 9, Township 19 North, Range 26 East, Lee County, Alabama (corner calculated from PB 17 PG 36 & shown for informational purposes only)

800 USW 280 East Estate LLC  
C/O Joshua Emanuel  
25 Colonial Drive  
Tomball, TX 77455  
08-2516 PG 621

Barrett & Paul Martin  
1716 Feltner Lane  
Auburn, AL 36830  
05-1531 PG 183

Carroll & Paul Martin  
1004 Grand National Pkwy  
Opelika, AL 36801  
08-2383 PG 469

City Of Opelika  
P.O. Box 796  
Opelika, AL 36803  
08-1131 PG 214

War Eagle Properties  
3368 US HWY 280, Suite 6-15  
Auburn, AL 36810  
08-2151 PG 214

War Eagle Properties  
3368 US HWY 280, Suite 6-15  
Auburn, AL 36810  
08-2151 PG 214

CORRECTIVE PLAT OF  
LOT 1-A BODINE SUBDIVISION

A REPLAT OF LOTS 1 AND 2 OF BODINE SUBDIVISION

BEING A PART OF SECTION 9, TOWNSHIP 19 NORTH, RANGE 26 EAST,  
OPELIKA, LEE COUNTY, ALABAMA

DEDICATION

We, JD Real Properties, LLC, an Alabama limited liability company, and the owners of said lands surveyed by Barrett-Simpson Inc., do hereby certify that title was and is vested in said owners and join in the foregoing statement made by said Barrett-Simpson Inc., and stated in Code of Alabama 1975, § 35-2-50 et seq., do hereby certify that it was and is our intention to divide said lands into lots as shown by said plat and do hereby dedicate, grant, and convey for public use the streets, alleys and public grounds as shown on said plat.

Gil Dyer, Owner

ACKNOWLEDGEMENT STATE OF ALABAMA  
LEE COUNTY

I, \_\_\_\_\_, a Notary Public in and for said County in said State, hereby certify that Gil Dyer, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the date of this notary acknowledgement.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Notary Public

My Commission Expires \_\_\_\_\_

OPELIKA CERTIFICATES

Accepted by the Opelika City Planner, Opelika, Alabama:

Planner: \_\_\_\_\_ Date: \_\_\_\_\_

Approved by the Opelika City Engineer, Opelika, Alabama:

City Engineer: \_\_\_\_\_ Date: \_\_\_\_\_

Accepted by the Opelika Public Works Director, Opelika, Alabama:

Public Works Director: \_\_\_\_\_ Date: \_\_\_\_\_

Accepted by the Opelika Utilities, Opelika, Alabama:

Opelika Utilities: \_\_\_\_\_ Date: \_\_\_\_\_

Accepted by the Opelika Power Services, Opelika, Alabama:

Opelika Power Services: \_\_\_\_\_ Date: \_\_\_\_\_

I, Timothy W. Simpson, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

Timothy W. Simpson, PLS  
Alabama License No. 17039

Date



BARRETT-SIMPSON, INC.  
Engineers & Land Surveyors

706 12th STREET, PHENIX CITY, AL 36868 (PH 334-297-2422, FAX 334-297-2409)  
171 W. BROAD STREET, RUFULA, AL 36807 (PH 334-887-4337, FAX 334-887-8879)  
223 SOUTH 5th STREET, OPELIKA, AL 36801 (PH 334-745-7026, FAX 334-745-4387)

LAND SURVEYOR

Timothy W. Simpson  
Ala. Reg. PLS No. 17039  
Barrett-Simpson, Inc.  
706 12th Street  
Phenix City, AL 36868

DEVELOPER

JD Real Properties, LLC  
3959 Highway 80 West  
Phenix City, AL 36870

Graphic scale bar showing 0, 60, 120 feet.  
Graphic scale bar showing 0, 60, 120 feet.  
Graphic scale bar showing 0, 60, 120 feet.

PROJECT NO: 22-01686

FIELD BY: WHY/JAS  
DRAWN BY: CEF

FIELD DATE: 07/11/2023  
DRAW DATE: 07/13/2023

000110-2023

AGENDA ITEM # 3



**APPLICATION FOR  
CONDITIONAL USE APPROVAL**  
PLANNING DEPARTMENT  
700 FOX TRAIL  
OPELIKA, AL 36801

PC DEADLINE: 3/7/23 PC MEETING: \_\_\_\_\_SITE ADDRESS: 601 S 7th Street Opelika, AL 36801PROPERTY OWNER: Russell HerringAPPLICANT/ AUTHORIZED REPRESENTATIVE: Arrow Exterminators dba Stark Exterminators/Jody PateMAILING ADDRESS: PO Box 500219 Atlanta, GA 31150PHONE NUMBER: 706-329-0603

FAX NUMBER: \_\_\_\_\_

EMAIL ADDRESS: jpate@arrowexterminators.com**PARCEL INFORMATION**Project name: \_\_\_\_\_ Address/Location: 601 S 7th StreetCurrent Land Use: Office Building Current Zoning: C-3, GC-S

Adjacent Zoning Districts: North: \_\_\_\_\_ South: \_\_\_\_\_ East: \_\_\_\_\_ West: \_\_\_\_\_

Description of Proposed Use: Business Office for Stark Exterminators**AUTHORIZATION TO ACT AS APPLICANT** (if applicable)

I, Russell Herring, being owner of the property which is the subject of this conditional use application hereby authorize Jody Pate/Arrow Exterminators, to act as my representative before the City of Opelika's Planning Commission, and if necessary, represent me before the Board of Zoning Adjustments and City Council.

Property Owner's Signature: DR Herring Date: 3/7/23

**STATE OF ALABAMA,****COUNTY OF LEE**

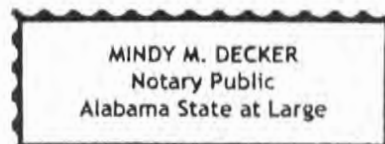
I, Mindy Decker, a Notary Public in and for said County and State, hereby certify that Russell Herring, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears the same date.

Given my hand and seal of office this 7<sup>th</sup> day of March,

M. Decker  
Notary Public

My Commission Expires  
January 23, 2027

My Commission Expires: \_\_\_\_\_



**City of Opelika**  
**Planning Commission**  
**Planning Department Report**

---

**Meeting Date:** March 28, 2023

**Agenda Item #:** B-3

**Action Requested:** Conditional Use – Office of Contractor without Material and Equipment Yard

**Location of Property:** 601 South 7th Street

**Property Owner(s):** Russell Herring  
Jody Pate, Stark Exterminators, authorized representative

**Current Land Use:** Office building

**Current Zoning:** C-3, GC-S

**Surrounding Zoning Districts  
And Land Uses:**

|       |           |                                          |
|-------|-----------|------------------------------------------|
| North | C-2       | Office building (Marketron Broadcasting) |
| South | C-3, GC-S | Child daycare and restaurant             |
| East  | C-3, GC-S | Office building (Lee County)             |
| West  | C-2       | Undeveloped                              |

**Proposal**

The applicant is requesting conditional use approval for an “office of contractor without equipment and material yard” at 601 South 7<sup>th</sup> Street. Outside storage is prohibited in the GC-S (Gateway Corridor-Secondary) overlay district. A portion of the 26,800 square foot lot is in the GC-S (Gateway Corridor Overlay district). The business is Stark Exterminator, a pest control service for home and business that serves many locations in five states; in Alabama the business has 17 locations. The nearest Stark business to Opelika is at 404 Opelika Road in Auburn.

A 2,475 square foot building is on the property that will be used as a business office. The business has 9 employees and 12 company trucks. Four employees are office staff that work at the office Mon thru Fri from 8 AM to 5 PM. The other employees are service employees arriving at the office in company trucks at 7:30 AM to pick up work orders, products, and material for the day. After servicing customers each day the employees take the company trucks to their homes. The next morning the workers return to the office to pick up work orders and products for that day. The trucks used by service employees Mon thru Fri are not stored at the business office overnight. One company truck

is parked at the office building overnight. All storage of products and equipment are stored inside the office building in a downstairs area or kept on company trucks. The applicant said that no equipment, pest control products, or other type materials will be stored outside.

The applicant did not provide a site plan or landscape plan. The property has open space to meet minimum off street parking requirements. See aerial photo on page 3. The business is classified as a “commercial support use”<sup>1</sup> so 10 parking spaces are required. The driveway and parking spaces must be hard surfaced (asphalt or concrete). Minimum landscape requirements may be met by preserving existing trees on the property. Several large trees are on the property. The Landscape Regulations encourages the preservation of existing “significant trees” (6” diameter or larger) that count toward base point requirements instead of planting new tree. Preserving existing trees count toward meeting minimum base and parking lot point requirements.

### **Staff Recommendation**

**Planning recommends approval subject to the following:**

- 1. Provide a site plan and landscape plan that meets minimum requirements for off street parking and landscaping.**
- 2. The outside storage of equipment or materials is prohibited.**

---

### **Engineering Department Report**

The Engineering Department has no other comments or concerns with this proposed conditional use.

---

### **Opelika Utilities Board Report**

No comments.

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### **Opelika Power Services Report**

This subdivision is inside the Opelika Power Service territory.

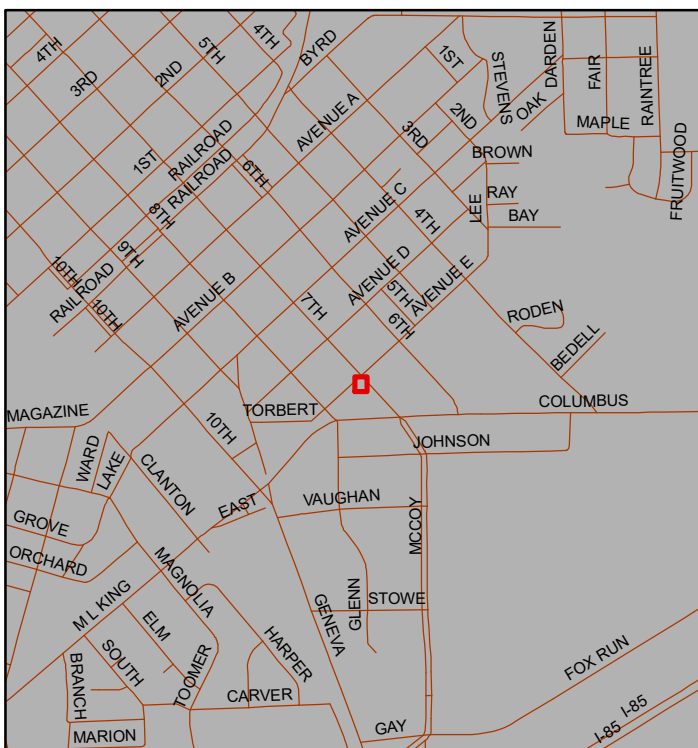
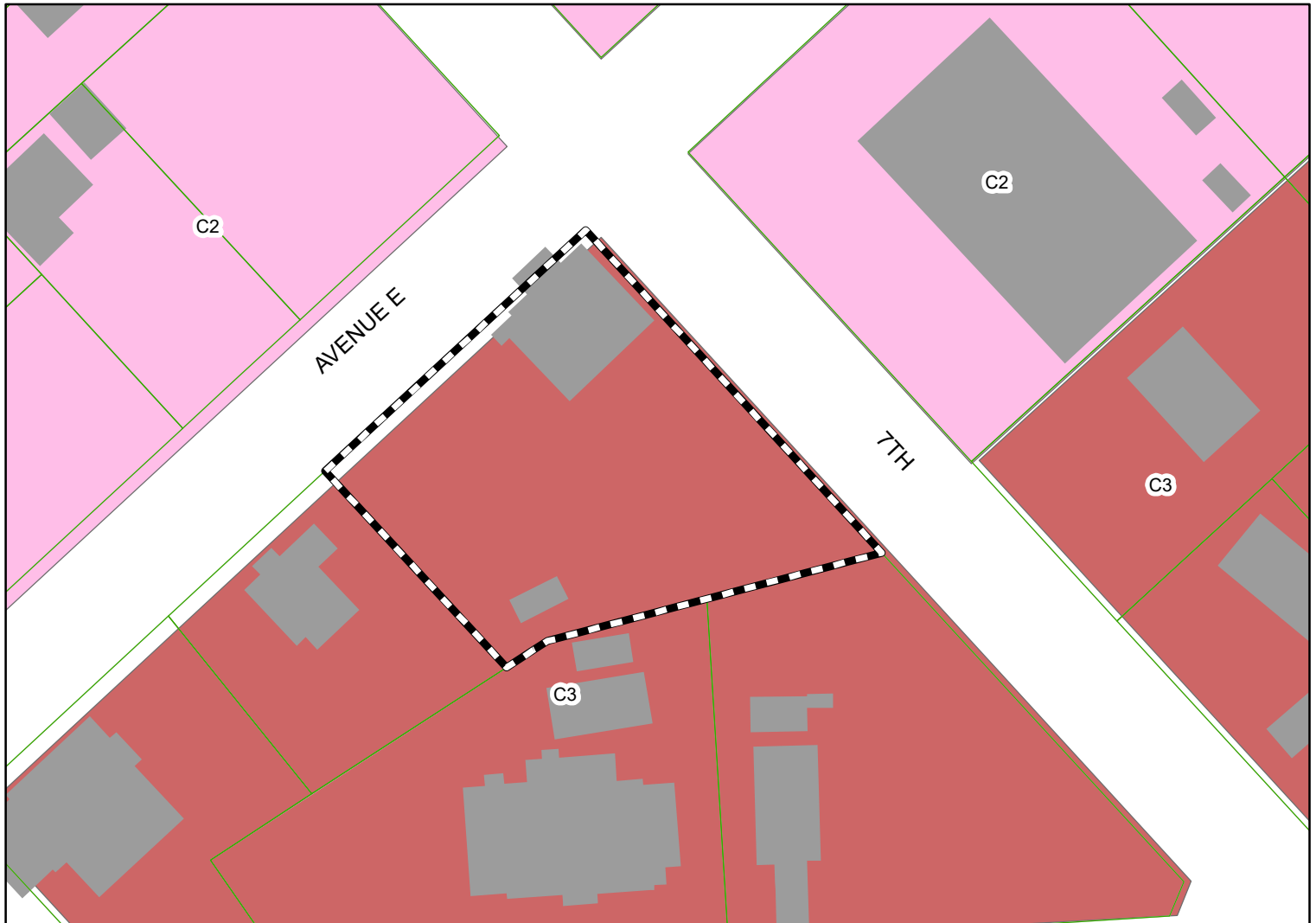
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<sup>1</sup> One parking space per employee on the largest shift and one parking space per company vehicle regularly stored on premises.



**STARK EXTERMINATORS  
601 SOUTH 7th STREET  
CONDITIONAL USE, B-3**

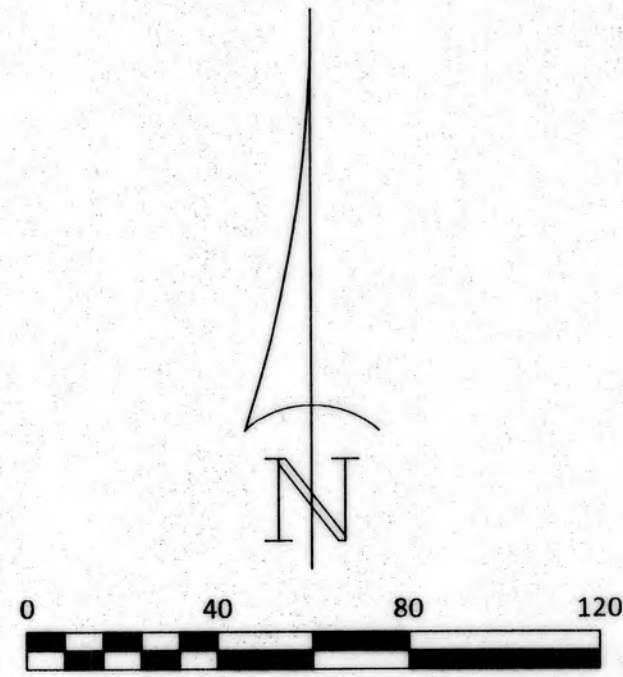


The applicant is requesting approval for an office of contractor without equipment and material yard. The property is located in the C-3, GC-S zoning district.



## Subject Property

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without



Jerry L. Johnson &  
Maxine R. Johnson  
c/o J.L.J. Partners  
603 Overlook Drive  
Opelika, AL 36801

ITC Properties, LLC  
509 South 7th Street  
Opelika, AL 36801

Willie Charles Ellis  
708 Avenue E  
Opelika, AL 36801

8th St LLC  
1125 Preston Street  
Opelika, AL 36801

Melissa Irvin Howell  
1608 Rocky Brook Road  
Opelika, AL 36801

Lee County, Alabama  
215 S. 9th Street  
Opelika, AL 36801

Choice Realty, Inc.  
P.O. Box 2628  
Opelika, AL 36803-2628

38 32  
Recorded in the Above  
PLAT Book & Page  
05-10-2016 02:27:06 PM  
Bill Skelish - Probate Judge  
Lee County, AL  
Book/Pat 38/32  
Tara/Cashier: SEANC: 67  
Tract 16546, 239051 712097  
Recorded: 05-10-2016 14:21:52  
PLA PLAT  
SEC Recording Fee  
Total Fees: \$ 21.00

I, James L. McCrory, a Professional Land Surveyor in the State of Alabama, hereby certify that the map or plat shown hereon is a true and correct record of a survey made by me of the following described real property, to wit: M.C. Carden Subdivision of Block U, First Revision; that said plat correctly shows the relation of the land surveyed and subdivided to the Government Survey; that it accurately shows the lengths and bearings of the boundaries of each lot and its number and the bearings, widths, and names of the streets, avenues, highways, etc.; that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Land Surveying in the State of Alabama.



WITNESS MY HAND this the 26th day of April, 2016.

*James L. McCrory*  
James L. McCrory, PLS  
Alabama Registration No. 12493

We, Suzanne L. Montgomery and David Martin Littleton, Members of L and M, L.L.C., owner of the property as shown hereon, hereby join in the statement of James L. McCrory, and certify that it was and is the intent of L and M, L.L.C. to divide the property shown hereon into lots and shown.

WITNESS OUR HANDS this the 3<sup>rd</sup> day of May, 2016.

*Suzanne L. Montgomery*  
Suzanne L. Montgomery, Member, L and M, L.L.C., Owner  
*David Martin Littleton*  
David Martin Littleton, Member, L and M, L.L.C., Owner

STATE OF ALABAMA  
COUNTY OF LEE

I, the undersigned authority, a Notary Public At Large for the State of Alabama, hereby certify that Suzanne L. Montgomery and David Martin Littleton, as members of L and M, L.L.C., owner of the real property shown on this plat, whose names are signed to the foregoing certificate and who are known to me, acknowledged before me on this date that being informed of the contents of said certificate, they executed the same voluntarily on the day the same bears date.

*Stacey L. Mangham*  
Notary Public  
My Commission Expires April 16, 2018



An easement is hereby granted to the City of Opelika, and to any telephone companies serving the City of Opelika, for the purpose of installing, operating and maintaining poles, lines, guy wires and other facilities. Easement to be ten (10) feet wide, being five (5) feet wide on each side of the front and side lot lines and extend back to the minimum building line.

REVIEWED ON BEHALF OF OPELIKA POWER SERVICES  
OPELIKA, LEE COUNTY, ALABAMA.

*Samuel*  
Opelika Power Services  
Date 5/9/16

REVIEWED ON BEHALF OF THE UTILITIES BOARD OF THE CITY OF OPELIKA, LEE COUNTY, ALABAMA.

*John Anderson*  
Utilities Board, City of Opelika  
Date 5/9/16

APPROVED BY OPELIKA-PUBLIC WORKS DEPARTMENT

*Mike J. Kib*  
Public Works Director  
Date 5-4-2016

APPROVED BY OPELIKA CITY PLANNER:

*Mark*  
Planner  
Date 5-10-16

APPROVED BY OPELIKA CITY ENGINEER:

*Scott*  
Engineer  
Date 5/14/2016

APPROVED BY THE OPELIKA PLANNING COMMISSION:

*John*  
Chairman  
Date 5/9/2016

Ben T. Brooks Co. of  
Ala., Inc.  
P.O. Box 1477  
Columbus, GA 31902

Torbert Farms, LTD  
P.O. Box 206  
Opelika, AL 36803-0206

David L. Chatham  
11 Lee Road 0605  
Smiths Stat'on, AL 36877

Torbert Farms, LTD  
P.O. Box 206  
Opelika, AL 36803-0206

Torbert Farms, LTD  
P.O. Box 206  
Opelika, AL 36803-0206

Torbert Farms, LTD  
P.O. Box 206  
Opelika, AL 36803-0206

#### LEGEND

● = Iron Pin Found  
○ = Iron Pin Set  
■ = Conc. Mon. Fd.  
⊕ = 1" Open-top Found  
△ = Computed Point  
CT = Crimp Top Pipe  
OT = Open Top Pipe  
RB = Rebar  
Conc. = Concrete  
R/W = Right-of-way  
P.C. = Point of Curvature  
P.T. = Point of Tangency  
P.O.B. = Point of Beginning  
P.O.C. = Point of Commencement  
R = Radius  
L = Arc Length  
(M) = Measured  
(R) = Recorded  
(C) = Calculated  
B.L. = Building Line  
- P - = Power Line

McCrory Surveying Company, Inc.  
907 Avenue A, P.O. Box 349  
Opelika, Alabama 36803-0949  
Telephone: (334) 745-3220

#### SURVEYOR'S NOTES:

- Bearings Computed From Grid North, NAD 83, Alabama East, using GPS Equipment.
- Flood Zone X, per FEMA Flood Insurance Rate Map Number 01081C0069G.
- Date of Field Survey: January 27-April 4, 2016.
- Sources of Title for Survey: Warranty Deed from Mary M. Carden Littleton to L and M, L.L.C., recorded in Deed Book 2231 at Page 804 in the Office of the Judge of Probate of Lee County, Alabama.
- Current Zone: GC
- Street Paving: City of Opelika Maintained Asphalt w/curb & gutter.
- Water System: City of Opelika Utilities.
- Sanitary Sewers: City of Opelika.
- The purpose of this plat is to resubdivide Block U of Byrd Lands Survey as shown on Totten's Official Real Estate Map of Opelika, Alabama, 1930, as recorded in Town Plat Book 2 at Page 9 and to resubdivide Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block U, as shown on a survey for M.C. Carden recorded in Plat Book 3 at Page 15, both in the Office of the Judge of Probate of Lee County, Alabama.

OWNER/DEVELOPER:  
L and M, L.L.C.  
400 Winterburn Avenue  
Opelika, AL 36801

M.C. Carden Subdivision of Block U, First Revision  
Resubdividing Lots 1 through 9, Block U,  
as shown in Plat Book 3 at Page 15  
Section 7, Township 19 North, Range 27 East  
Opelika, Lee County, Alabama

D-844 Scanned



**APPLICATION FOR  
CONDITIONAL USE APPROVAL**  
PLANNING DEPARTMENT  
700 FOX TRAIL  
OPELIKA, AL 36801



EMER GOV. 000109-2023

PC DEADLINE: \_\_\_\_\_ PC MEETING: 3-28

**SITE ADDRESS:** 503 MARTIN LUTHER KING BLVD. (MLK BLVD)  
**PROPERTY OWNER:** SUFIA Sumi LLC  
**APPLICANT/ AUTHORIZED REPRESENTATIVE:** YOLANDA CORE  
**MAILING ADDRESS:** 1440 LEE ROAD 25, OPELIKA, AL.  
**PHONE NUMBER:** 750-4133 **FAX NUMBER:** —  
**EMAIL ADDRESS:** CSWEETV0511@AOL.com

**PARCEL INFORMATION**

Project name: RESTAURANT, CARRY-OUT Address/Location: 503 MLK BLVD  
 Current Land Use: CONVENIENCE STORE, BARBERSHOP Current Zoning: C-2, GC-5  
 Adjacent Zoning Districts: North: R-3 South: R-3 East: C-2, GC-5 West: C-2, GC-5  
 Description of Proposed Use: CARRY-OUT RESTAURANT PRIMARILY

**AUTHORIZATION TO ACT AS APPLICANT** (if applicable)

I, SUFIA SUMI, being owner of the property which is the subject of this conditional use application hereby authorize Miss Yolanda Core, to act as my representative before the City of Opelika's Planning Commission, and if necessary, represent me before the Board of Zoning Adjustments and City Council.

Property Owner's Signature: [Signature] Date: MARCH 07/23

**STATE OF ALABAMA,  
COUNTY OF LEE**

I, LISA THRIFF, a Notary Public in and for said County and State, hereby certify that SUFIA SUMI, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears the same date.

Given my hand and seal of office this 07 day of MARCH 2023,

[Signature]  
Notary Public

My Commission Expires: 07-18-2025



**City of Opelika**  
**Planning Commission**  
**Planning Department Report**

---

**Meeting Date:** March 28, 2023

**Agenda Item #:** B-4

**Action Requested:** Conditional Use – Carry-out Restaurant

**Location of Property:** 503 Martin Luther King Blvd.

**Property Owner(s):** Sufia Sumi LLC  
Yolanda Core, business owner

**Current Land Use:** Convenience store

**Current Zoning:** C-2, GC-S

**Surrounding Zoning Districts  
And Land Uses:**

|       |           |                              |
|-------|-----------|------------------------------|
| North | R-3       | Single family homes          |
| South | R-3       | Single family homes          |
| East  | C-2, GC-S | Commercial building (vacant) |
| West  | C-2, GC-S | Former VFW building (vacant) |

**Proposal**

The applicant is requesting conditional use approval for a carry-out restaurant in the Neighborhood Market building at 503 MLK Blvd. The 2,600 square foot building is divided into has three business areas; a convenience store (1,602 sf) and barber shop (521 sf) occupy two spaces and the carry-out restaurant (477 sf) is requesting approval. In the GC-S overlay district (Gateway Corridor- Secondary) a carry-out restaurant requires conditional use approval,

The restaurant is primarily carry-out. The business owner provides two tables with three chairs at each table but the business owner expects customers will carry-out food orders. Restaurant hours are Tues and Wed 10AM to 9 PM and Thurs, Fri, Sat 10AM to 10PM; restaurant is closed Sunday and Monday. A commercial oven will not be installed. Fried fish and chicken are pre-cooked in a table-top fryer (no deep fryer) then food warmed up per customer order. A waffle-grilled toaster will also be used. All can drinks (except for lemonade) and packaged foods are purchased at the convenience store.

About three years ago, the site plan and landscape plan below was provided for the Neighborhood Market that included floor space for a barber shop and restaurant. The convenience store opened about three years and later a barber shop occupied space in the building. The carry-out restaurant is 477 sf, managed by two people and requires four parking spaces. A total of 24 off street parking spaces are provided on plan. It's expected that some customers purchasing products at the convenience store will



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### **Engineering Department Report**

The Engineering Department has no comments or concerns with this proposed conditional use.

---

### **Opelika Utilities Board Report**

No comments.

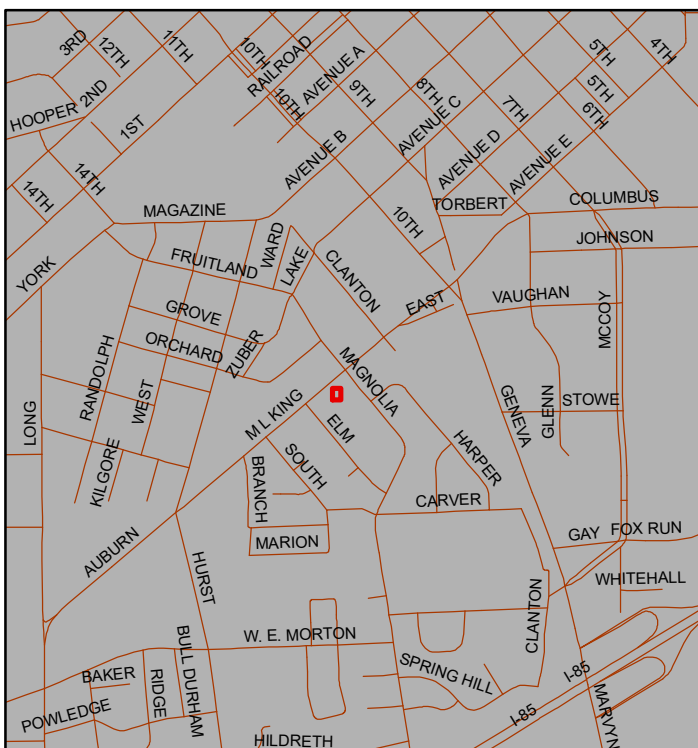
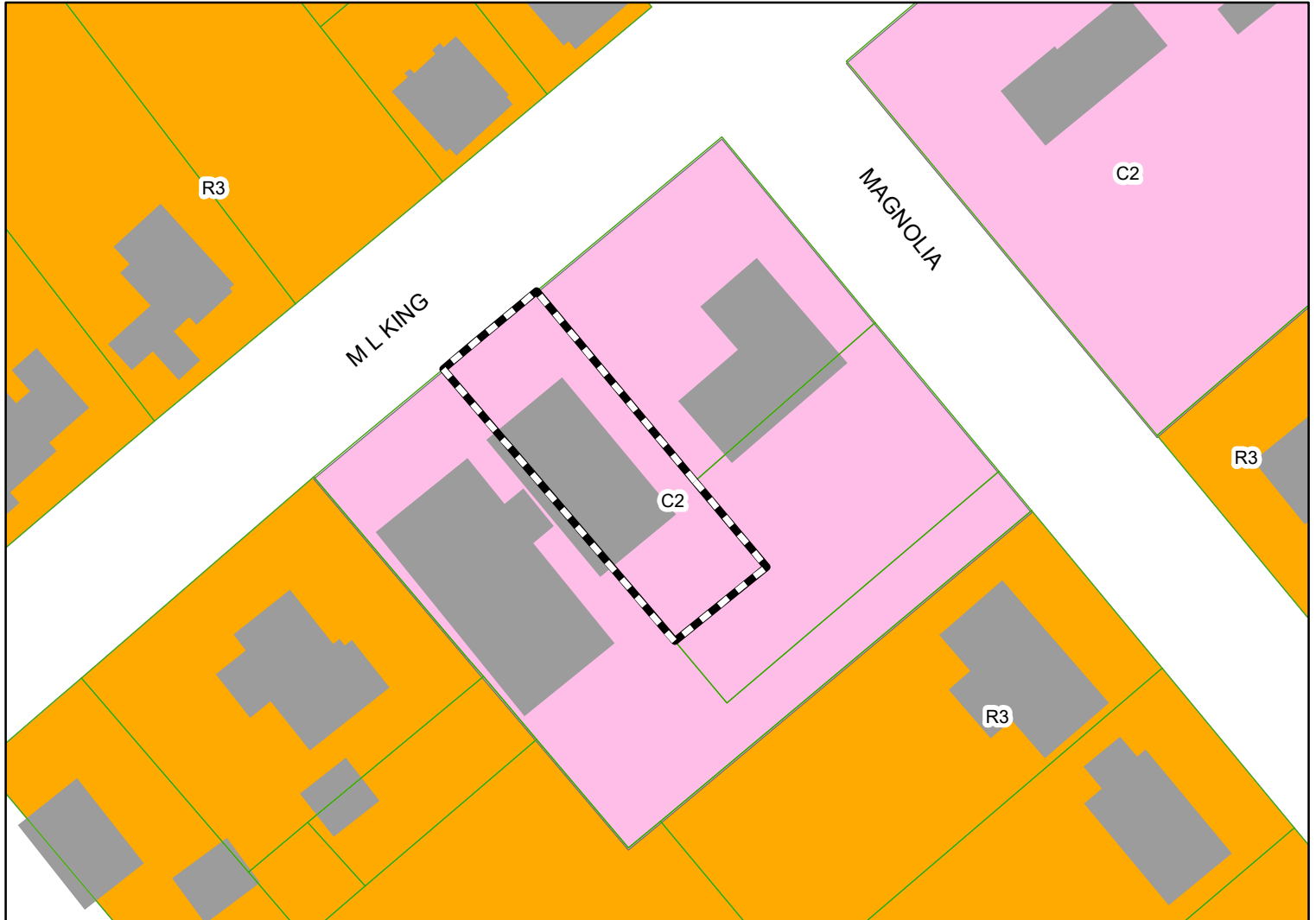
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### **Opelika Power Services Report**

This subdivision is inside the Opelika Power Service territory.

---

**YOLANDA CORE'S CARRY-OUT RESTAURANT**  
**503 MARTIN LUTHER KING BLVD.**  
**CONDITIONAL USE, B-4**

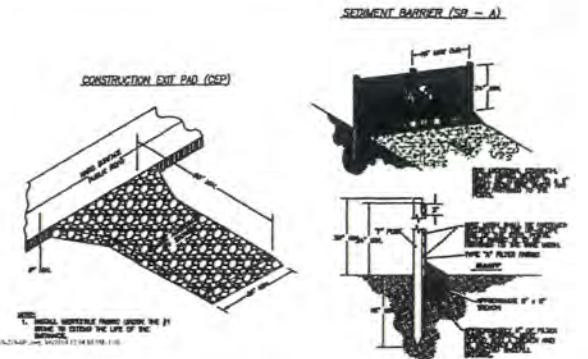
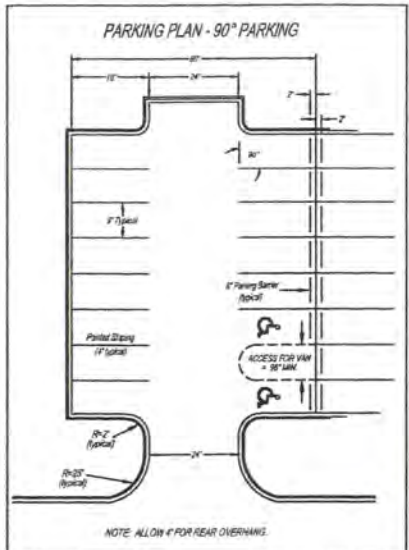
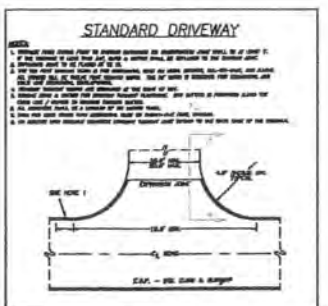
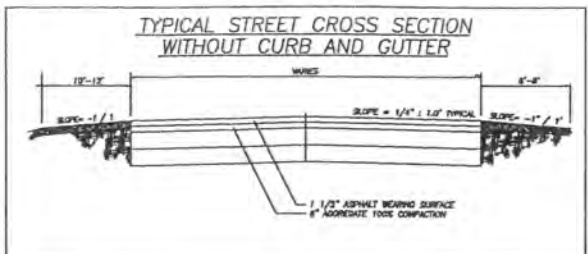


The applicant is requesting approval for a carry-out restaurant in the Neighborhood Market convenience store. The property is located in the C-2, GC-S zoning district.

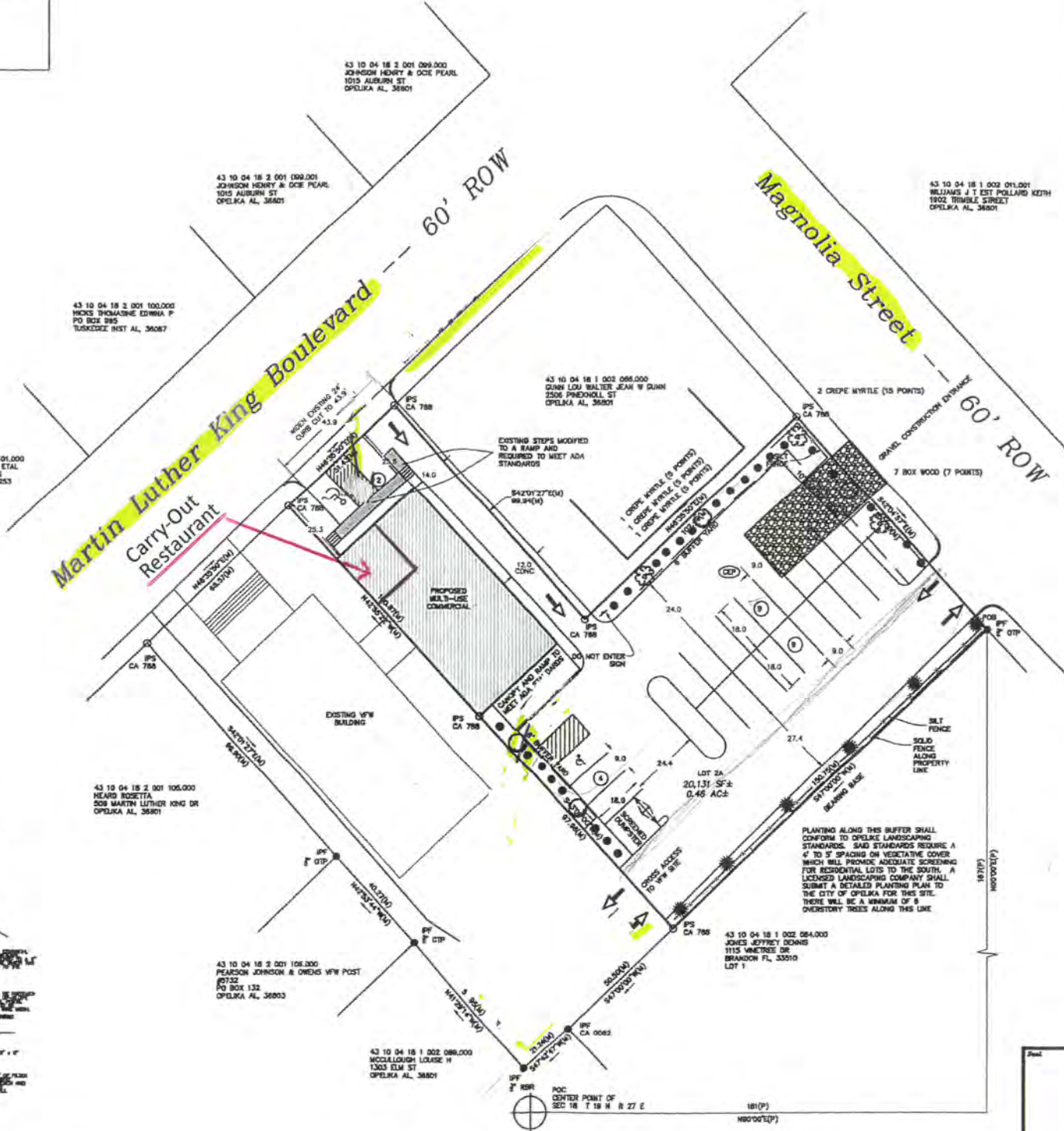


Subject Property

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SITE PLAN FOR HARPER PLAZA  
A REDIVISION OF LOTS 2,3,4, AND 5  
SECTION 18 T 19 N R 27 E  
OPELIKA LEE COUNTY ALABAMA



- PROFESSIONAL CONTACT:  
JUSTIN A. BALE
- LOT AREA:  
20,131 S.F.
- BUILDING SF: 2730 +/-
- REQUIRED PARKING: 23 SPACES  
PARKING PROVIDED: 24 SPACES
- NO ADDITIONAL STORM WATER DETENTION OF STORM WATER UTILITIES ARE NEEDED FOR THE RENOVATION OF THIS PROJECT.
- NO ENGINEERING CALCULATIONS COMPLETED BY PRECISION SURVEYING LLC.
- BASE POINTS:  
8 LELAND CYPRESS = 88 POINTS
- 3 MAPLE TREES = 33 POINTS
- 1 CREPE MYRTLES = 5 POINTS  
TOTAL BASE = 104 POINTS
- PARKING LOT POINTS:  
22 BOXWOOD SHRUBS = 22 POINTS
- 3 CREPE MYRTLE = 15  
TOTAL PARKING = 25 POINTS
- Any Large Tree planted to meet requirements of this Section shall have a trunk diameter of 1.25" and 1.5", except that small diameter trees shall be between 1.25" and 1.5" in height. In addition, deciduous trees from the "Recommended Tree List" may be approved through a written request to the City Horticulturist. These plantings may or may not, count towards the point total for the property.
  - Shrubs planted to meet requirements of this Ordinance shall be at least 24" in height.
  - Grass shall completely cover the soil after one (1) full growing season.
  - No bare ground shall be left exposed. Grass and other approved appropriate groundcover or mulch, such as pine straw or tree bark, shall cover all non paved and non built "developed areas."
  - Irrigation is not required but is highly recommended. Proper irrigation greatly improves the chances for survival.
  - Any planting that dies shall be replaced.

- LEGEND
- (M) = MEASURED
  - (R) = RECORDED
  - OTF = OPEN TOP PIPE
  - CIP = CROWNED TOP PIPE
  - PF = RAIL FENCE FOUND
  - PS = RAIL FENCE SET (CA-786)
  - CA-786 = PRECISION SURVEYING
  - PS = RAIL FENCE FOUND
  - O = 1/2" IRON SET (CA-786)
  - W = WIRE SET
  - Q = CALCULATED POINT
  - CL = CONCRETE MONUMENT
  - W = WIRE FENCE
  - W = WOOD FENCE
  - CL = CHAIN LINK FENCE

|           |              |                            |
|-----------|--------------|----------------------------|
| Project   | Harper Plaza | 8124 Moore Mill Road       |
| Drawn By  | TC           | Shula 110                  |
| Scale     | 1" = 20'     | Auburn, Alabama 36830      |
| File Name | 18-236-SP    | Phone (334) 821-9100       |
| Date      | 9-8-18       | www.precisionsurveying.biz |

GRAPHIC SCALE 1" = 20'

20 0 20 40 60



# APPLICATION FOR CONDITIONAL USE APPROVAL

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801



ENTER GOR # 000112-2023

PC DEADLINE: 3/7/2023 PC MEETING: 3/28/2023

**SITE ADDRESS:** 181 Columbus Parkway, Opelika, AL 36801

**PROPERTY OWNER:** PKG Holdings, LLC

**APPLICANT/ AUTHORIZED REPRESENTATIVE:** Wade Weekley

**MAILING ADDRESS:** 530 Andrews Rd, Columbus, GA 31906

**PHONE NUMBER:** 762-207-0519

**FAX NUMBER:** 706-687-8814

**EMAIL ADDRESS:** info@columbusmonumentcompany.com

## PARCEL INFORMATION

Project name: Outside Display Yard Address/Location: 181 Columbus Parkway, Opelika

Current Land Use: Commercial Office with Warehouse

Current Zoning: C3

Adjacent Zoning Districts: North:            South:            East:            West:           

Description of Proposed Use: Commercial sales office and warehouse with outside product display yard

## AUTHORIZATION TO ACT AS APPLICANT (if applicable)

I, Phillip K Hood, being owner of the property which is the subject of this conditional use application hereby authorize Wade Weekley, to act as my representative before the City of Opelika's Planning Commission, and if necessary, represent me before the Board of Zoning Adjustments and City Council.

Property Owner's Signature:

Date: 3-6-2023

## STATE OF ALABAMA,

### COUNTY OF LEE

I, Pamela V Childs, a Notary Public in and for said County and State, hereby certify that Phillip K Hood, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears the same date.

Given my hand and seal of office this 6 day of March, 2023

Notary Public

My Commission Expires: 6-4-2024

**City of Opelika**  
**Planning Commission**  
**Planning Department Report**

---

**Meeting Date:** March 28, 2023

**Agenda Item #:** B-5

**Action Requested:** Conditional Use – Grave Monument Sales – Outside Display of Products

**Location of Property:** 181 Columbus Parkway

**Property Owner(s):** PKG Holdings, LLC., property owner  
Wade Weekley, applicant

**Current Land Use:** Vacant building

**Current Zoning:** C-3, GC

**Surrounding Zoning Districts  
And Land Uses:**

|       |         |                        |
|-------|---------|------------------------|
| North | C-3, GC | Commercial/Residential |
| South | C-3, GC | Church property        |
| East  | C-3, GC | Church                 |
| West  | C-3, GC | Vacant                 |

**Proposal**

The applicant is requesting conditional use approval for a grave monument sales office with outside display in a C-3, GC zone. The applicant has an existing sales and production facility located in Columbus, GA. This location would be limited to sales at this time.

The subject property is approximately 28,000 square feet located on the southeast corner of the intersection of Columbus Parkway and McCoy Street. The site has 4,620 square foot building located on the eastern side. The applicant is proposing to layout a 750 square foot walking area that would display a variety of markers and monuments within a landscaped area. The granite markers and monuments would be produced at their Columbus location. This site would act as a showroom for local customers. The applicant notes that they expect to have 1-2 employees at this location.

The site plan/landscape plan provided shows 10 parking spaces for customers and employees. The 10 parking spaces meet the minimum parking spaces for the furniture business. A previous tenant constructed a landscape plan that met the minimum requirements. However, most of that landscaping is no longer present. This will need to be reinstalled or a new plan will need to be created. The trees and shrubs must be planted as shown on the landscape plan to meet minimum requirements of the Landscape Regulations. The trees and shrubs need to be planted and inspected by staff before a business license is issued.

As the applicant notes, there is an existing monument business that was approved at the corner of S. 4<sup>th</sup> Street and Columbus Parkway. The use should not create any traffic or other negative effects on adjoining properties. The outside display is very minimal in relation to the overall use of the property.

### **Recommendation**

**Staff recommends conditional use approval subject to following recommendations:**

- **Missing landscaping shall be installed or a new landscape plan compliant with the zoning ordinance shall be created and installed after approval.**
- **The display area shall be limited to the location and size shown on the conceptual plan.**
- **No signage is approved by this plan. All signage shall comply with the City of Opelika Zoning Ordinance and approved separately.**
- **Any manufacturing of markers or monuments shall require a new or amended conditional use approval.**

---

### **Engineering Department Report**

The Engineering Department has no comments or concerns with this proposed conditional use.

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### **Opelika Utilities Board Report**

No comments.

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### **Opelika Power Services Report**

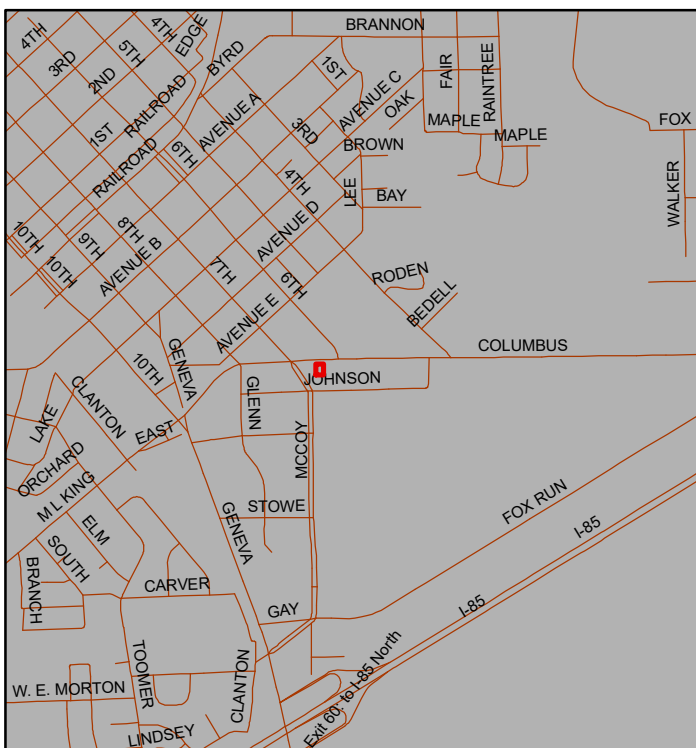
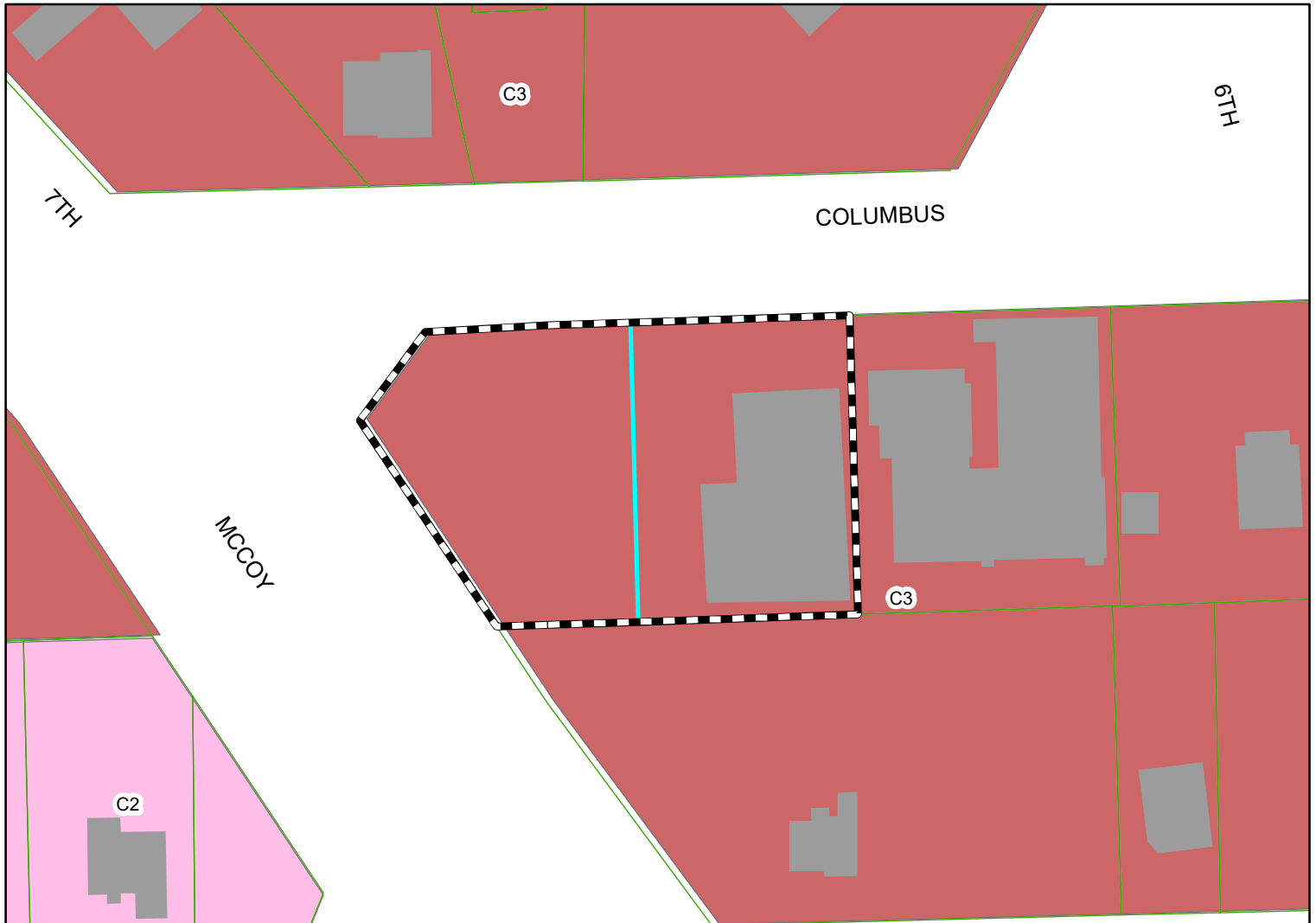
This subdivision is inside the Opelika Power Service territory.

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# GRAVE MARKERS/HEADSTONE SALES - OUTSIDE DISPLAY

## 181 COLUMBUS PARKWAY

### CONDITIONAL USE, B-5

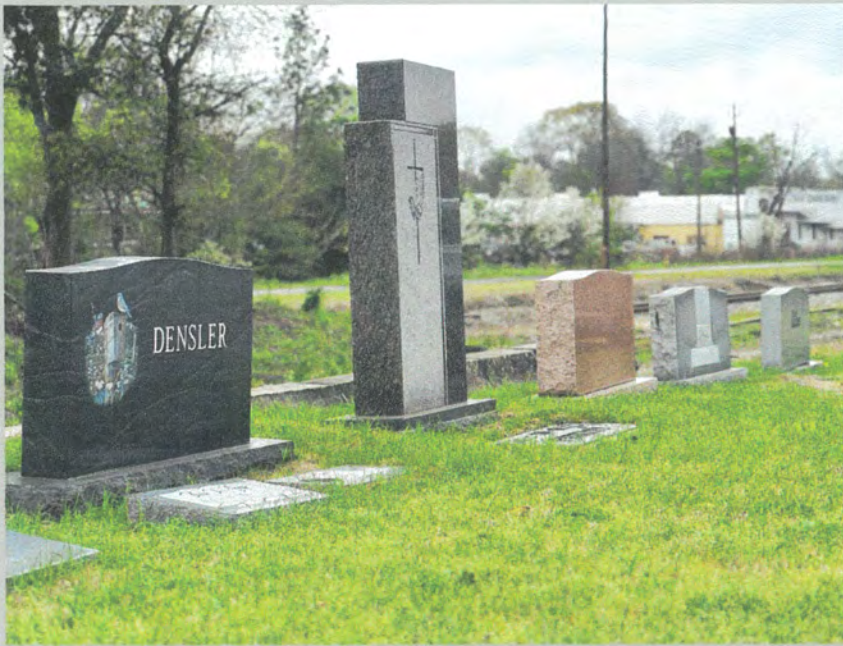


The applicant is requesting approval for an outside display for the sale of grave headstones. The property is located in the C-2, GC-S zoning district.



Subject Property

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Torbert Blvd

38

Requested Stone Engraved  
Business Sign =====> |

Requested 750sf Product  
Display Yard =====>

20' x 37.5'

171

McCoy St

Google



POC  
NW COR SEC 17,  
T19N, R27E, OPEUKA  
LEE Co ALABAMA  
TIE TAKEN FROM DEED  
BOOK 922, PAGE 366  
CORNER NOT RECOVERED

N 85°30' E  
137.5'

COLUMBUS PARKWAY

CONCRETE  
CURB AT  
ENTRANCE

PROPOSED  
PAVING  
345 Sq Ft

CONCRETE  
CURB AT  
ENTRANCE

REMOVE ASPHALT AND PLANT GRASS

80.0' (D)

N85°30'E (D)

80.0' (D)

N85°42'33"E (M)

POB  
3/4" SPIRACLE

6 WAX  
MYRTLE  
SHRUBS  
6 POINTS TOTAL

PROPOSED SITE FOR COMPANY  
SIGN ENGRAVED ON STONE.==>>  
WILL LANDSCAPE AROUND IT.

PROPOSED PRODUCT DISPLAY  
YARD (750sf) WITH A BRICK  
PATHWAY SURROUNDED ==>>  
BY A GRAVEL BED FOR  
MONUMENTS TO SIT ON



PROPOSED  
PAVING  
2380 Sq Ft

135.36' (M)

137.6' (D)

N05°07'W (D)

N05°48'11"W (M)

RED  
MAPLE  
>1.25'  
6 POINTS

LOT 18-A

14,337sf ±

RED  
MAPLE  
>1.25'  
6 POINTS

CRAPE  
MYRTLE  
>1.25'  
5 POINTS  
TYPICAL OF 6

S 85°30'00" W

64.98

PART OF LOT 15

S85°30'00"W (M)

80.48' (M)

80.0' (D)

S85°30'W (D)

BEARING BASE

EXISTING PAVEMENT

137.6' (D)

508°10'26"E (M)

136.08' (M)

S 35°30'55" W  
50.00'

S 40°00'51" E  
121.00'

111-2023

AGENDA ITEM # 6



**APPLICATION FOR  
CONDITIONAL USE APPROVAL**  
PLANNING DEPARTMENT  
700 FOX TRAIL  
OPELIKA, AL 36801



PC DEADLINE: 3/7/23 PC MEETING: 3/28/23

**SITE ADDRESS:** NW corner of Frederick Rd & Cunningham Dr

**PROPERTY OWNER:** SKPW 400 LLC

**APPLICANT/ AUTHORIZED REPRESENTATIVE:** Bolt Engineering, Inc

**MAILING ADDRESS:** 400 2nd Avenue, Opelika AL 36801

**PHONE NUMBER:** 334-744-4016 **FAX NUMBER:**

**EMAIL ADDRESS:** brandon@boltengineering.net

**PARCEL INFORMATION**

Project name: Rich's Car Wash Address/Location: NWcorner Frederick+Cunningham

Current Land Use: Vacant wooded and grassed area Current Zoning: C-2, primary gateway corridor

Adjacent Zoning Districts: North: R4 South: East: West: C2

Description of Proposed Use: Commercial Car Wash

**AUTHORIZATION TO ACT AS APPLICANT** (if applicable)

I, \_\_\_\_\_, being owner of the property which is the subject of this conditional use application hereby authorize \_\_\_\_\_, to act as my representative before the City of Opelika's Planning Commission, and if necessary, represent me before the Board of Zoning Adjustments and City Council.

Property Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**STATE OF ALABAMA,  
COUNTY OF LEE**

I, \_\_\_\_\_, a Notary Public in and for said County and State, hereby certify that \_\_\_\_\_, whose name is signed to the foregoing document, and who is known to me or acknowledged before me on this day, that being informed of the contents of said document, did execute the same voluntarily on the day that bears the same date.

Given my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**City of Opelika**  
**Planning Commission**  
**Planning Department Report**

---

**Meeting Date:** March 28, 2023

**Agenda Item #:** B-6

**Action Requested:** Conditional Use – Automatic Car Wash

**Location of Property:** Frederick Road and Cunningham Drive

**Property Owner(s):** SKPW 400, LLC., property owner  
Bolt Engineering, Inc., authorized applicant

**Current Land Use:** Vacant

**Current Zoning:** C-2, GC-S

**Surrounding Zoning Districts  
And Land Uses:**

|       |           |                                    |
|-------|-----------|------------------------------------|
| North | C-2, GC-P | Vacant property                    |
| South | R-3       | Residential (across Frederick Rd.) |
| East  | R-4       | Vacant                             |
| West  | C-2, GC-P | Vacant (proposed climate control)  |

**Proposal**

The applicant is requesting conditional use approval to construct an automatic car wash (automobile maintenance) in a C-2, GC-P zoning district. The subject property is part of a larger 4.78 acre property located on the northwest corner of Frederick Road and Cunningham Drive.

The site plan shows a 4,300 square foot (sf) building on a 1.02 acre lot. The minimum building setbacks are met from all property lines. The property is in the Gateway Corridor and the setbacks should be adjusted to meet the 40 foot front, 30 foot side on street, and 20 foot side and rear setbacks. The parking area 23 parking spaces, although most of these will be used for vacuum areas or prep areas. The canopies shown in the elevations do not appear on site plan.

The site takes access from a shared driveway that will provide access to this use and the remainder of the property. The drive will have full access on Cunningham Drive and have a right-in/right-out on Frederick Road. This will need to be placed in an easement during the platting process. The applicant is showing 8 feet of right-of-way being dedicated to the city for lane improvements at the intersection.

The landscape plan is provided(143 base pts. required). A total of 16 trees and 59 shrubs are proposed. The trees total 89 points based on staff calculation. Shrubs required for parking lot buffers do not count towards total points. This excludes 29 shrubs. A 15-foot front parking lot buffer is provided along Frederick Road. There is a six foot planted buffer on the north side along the adjacent properties that

includes large trees and shrubs. The buffer along Cunningham Drive has been reduced to four (4) feet to allow for the property to be dedicated to the City. The site appears to need 24 more points. Additionally, the front buffer along Frederick Road does not meet the tree spacing requirements. This would either require the proposed trees increase in size or additional stock be added. The property meets the maximum 70% impervious surface ratio allowed.

The applicant has provided an elevation that shows a brick, stacked stone, stucco, and glass which would be compliant with the corridor overlay materials.

A private dumpster is shown in the rear yard; staff recommends that the dumpster be enclosed with an opaque fence at a height so the dumpster is not visible outside the enclosure. This is shown in the elevations provided.

The most potentially concerning aspect of this use is the noise generated by the cleaning and vacuuming. The use has residential properties to the south (across Frederick Road) and to the north (Sutton Way). Those homes appear to be at least 300 feet away from the building or vacuuming stations. At that distance, the sound should be near ambient noise generated by traffic or other common sounds. Staff still believes that the applicant should look at ways to reduce noise. This would include moving the vacuum motors interior to the site and potentially shielding them. Additionally, staff recommends that business hours be limited to daytime hours. Staff also recommends that the applicant prohibit loud music from vehicles in the vacuuming areas.

## **Recommendation**

**Staff recommends conditional use approval subject to the following conditions:**

- 1. Show canopies on the site plan.**
- 2. Adjust setbacks to show Gateway Corridor standards in the table.**
- 3. Adjust landscape plan to meet total planting requirements and conform with the buffering requirement for the Frederick Road corridor.**
- 4. Dumpster must be screened from adjoining properties.**
- 5. All mechanical must be screened from the public right-of-way.**
- 6. Vacuum motors should be moved to the interior of the site and the noise produced dampened to meet Section 8.6 of the Opelika Zoning Ordinance.**
- 7. Monitor and prohibit loud music in the vacuuming area.**
- 8. Hours of operation shall be limited to daytime hours.**
- 9. Access easement will need to be placed on the common drive/private road.**
- 10. Additional right-of-way for Cunningham Drive shown on site plan shall be dedicated to the City of Opelika.**

---

### **Engineering Department Report**

A new building at this site will require the applicant to submit a site construction and grading plan for the drainage, and utility plan to the Engineering and Public Works Departments for review and approval. Once this approval and all other utility approvals have been met, a Land Disturbance Permit will be issued in concurrence with any applicable State and Federal Permits.

The Engineering Department will limit access to Frederick Road as a right-in/right-out drive due to the proximity of the existing signal. The Engineering Department has no other comments or concerns with this proposed conditional use.

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### **Opelika Utilities Board Report**

Water is available from Cunningham Dr. No other comments.

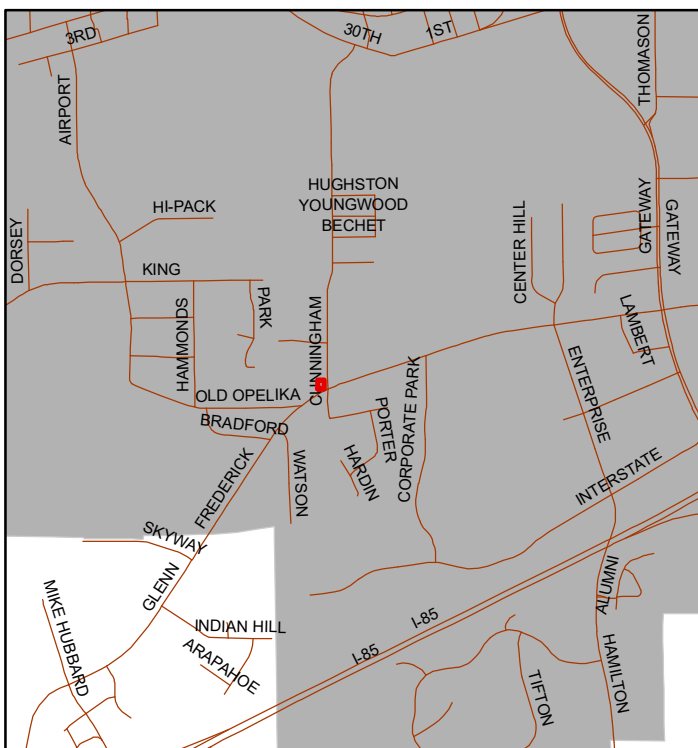
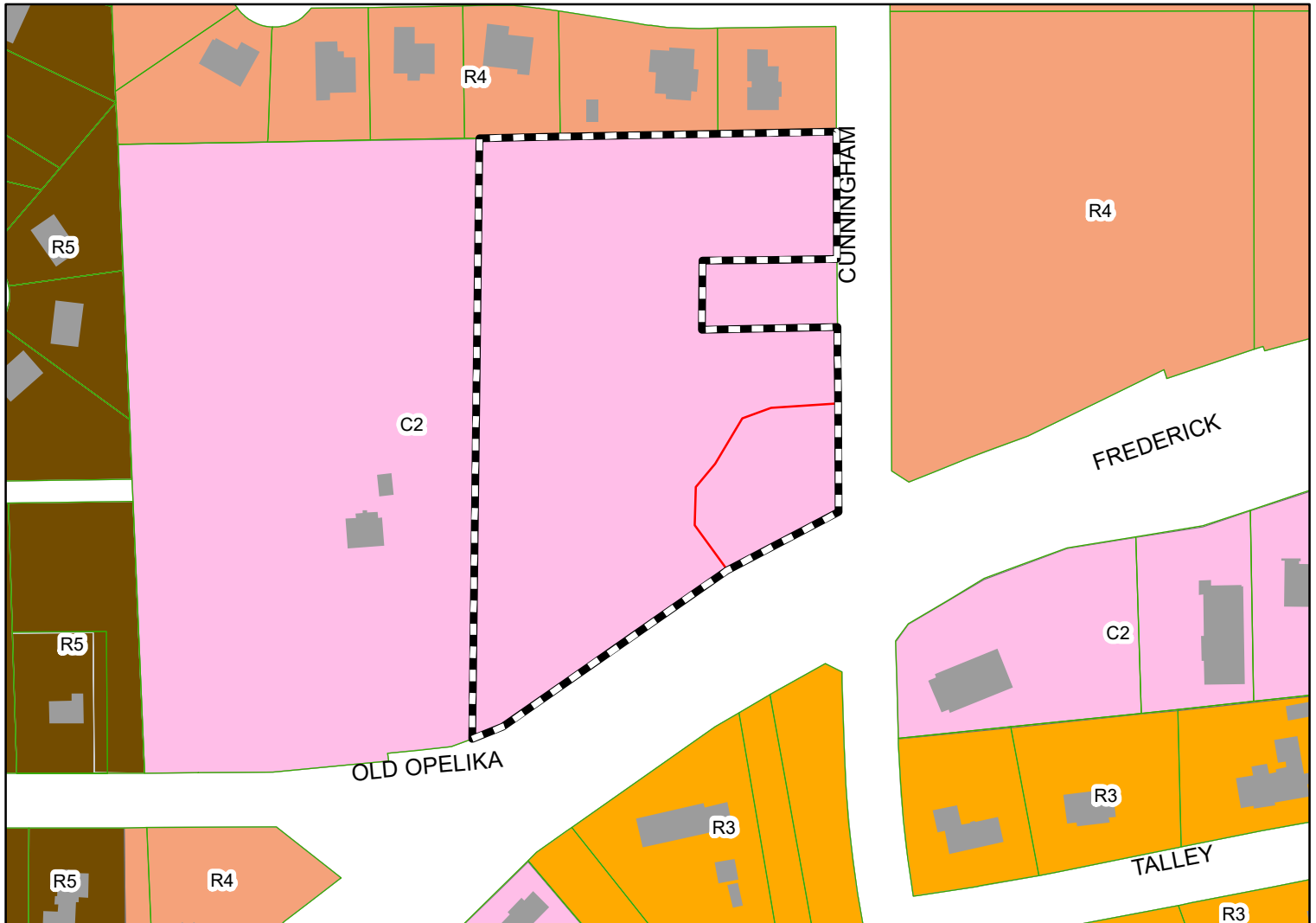
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### **Opelika Power Services Report**

This subdivision is outside the Opelika Power Service territory.

---

**RICH'S CAR WASH  
FREDERICK ROAD AND CUNNINGHAM DRIVE  
CONDITIONAL USE, B-6**



The applicant is requesting approval for a car wash business with self-service washing or car wash machines. The property is located in the C-2, GC-P zoning district.



**Subject Property**

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without

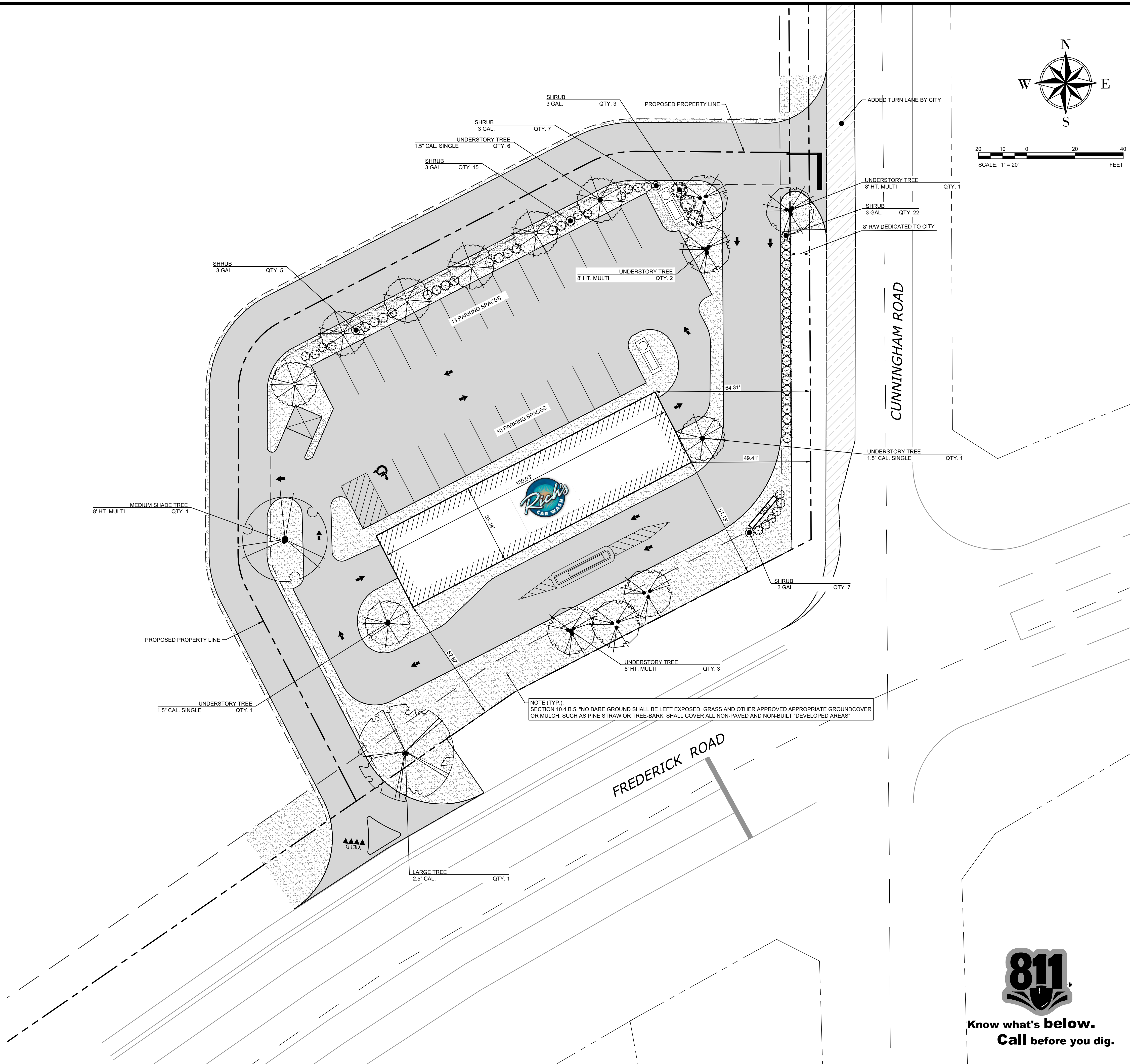


## SITE INFORMATION

|                         |                                                  |
|-------------------------|--------------------------------------------------|
| PARCEL ID               | 09 09 23 3 000 011.000<br>09 09 23 3 000 010.000 |
| TYPE USE                | CAR WASH                                         |
| TOTAL AREA              | ±4.78 ACRES                                      |
| CAR WASH AREA           | ±1 ACRE (1.02 ACRES AS SHOWN)                    |
| ADJACENT ZONING         | C2 (WEST), R4 (NORTH)                            |
| ZONING                  | C2                                               |
| NUMBER OF BUILDINGS     | 1                                                |
| TOTAL BUILDING AREA     | 4,300 SF                                         |
| BUILDING MATERIALS      | BRICK WITH STUCCO                                |
| ISR PERMITTED           | 0.70                                             |
| ISR ACTUAL              | 0.697 (13,430 SF OF TOTAL DEVELOPED AREA)        |
| PARKING SPACES PROVIDED | 23 TOTAL (22 STANDARD, 1 HANDICAP)               |
| SIGNAGE                 | MONUMENT SIGN ALONG FREDERICK RD<br>RIGHT OF WAY |
| LANDSCAPE BUFFERYARDS   |                                                  |
| - FREDERICK RD          | 15' GATEWAY CORRIDOR                             |
| - CUNNINGHAM RD         | 4'                                               |
| - ADJACENT PROPERTY     | 6'                                               |
| BUILDING SETBACKS       |                                                  |
| - FRONT YARD            | 30'                                              |
| - REAR YARD             | 30'                                              |
| - SIDE YARD             | 10'                                              |

## SITE LANDSCAPE REQUIREMENTS

|                                   |                |
|-----------------------------------|----------------|
| SQUARE FOOTAGE OF DEVELOPED AREA: | 44,356 SQ. FT. |
| BASE POINTS REQUIRED:             | 120            |
| PARKING LOT POINTS REQUIRED:      | 23             |
| TOTAL POINTS REQUIRED:            | 143            |
| TOTAL POINTS OBTAINED:            | 148            |
| RESIDENTIAL BUFFER YARD REQUIRED: | NO             |
| PARKING LOT BUFFERS REQUIRED:     | YES            |



**Know what's below.**  
**Call before you dig.**

**BOLT ENGINEERING INC**  
CIVIL ENGINEERING • LAND PLANNING



# CONDITIONAL USE LANDSCAPE PLAN

# RICH'S CAR WASH



OPELIKA, LEE COUNTY, ALABAMA  
SECTION 23, TOWNSHIP 19 NORTH, RANGE 26 EAST

[illegible]

JOB NO.: 2303

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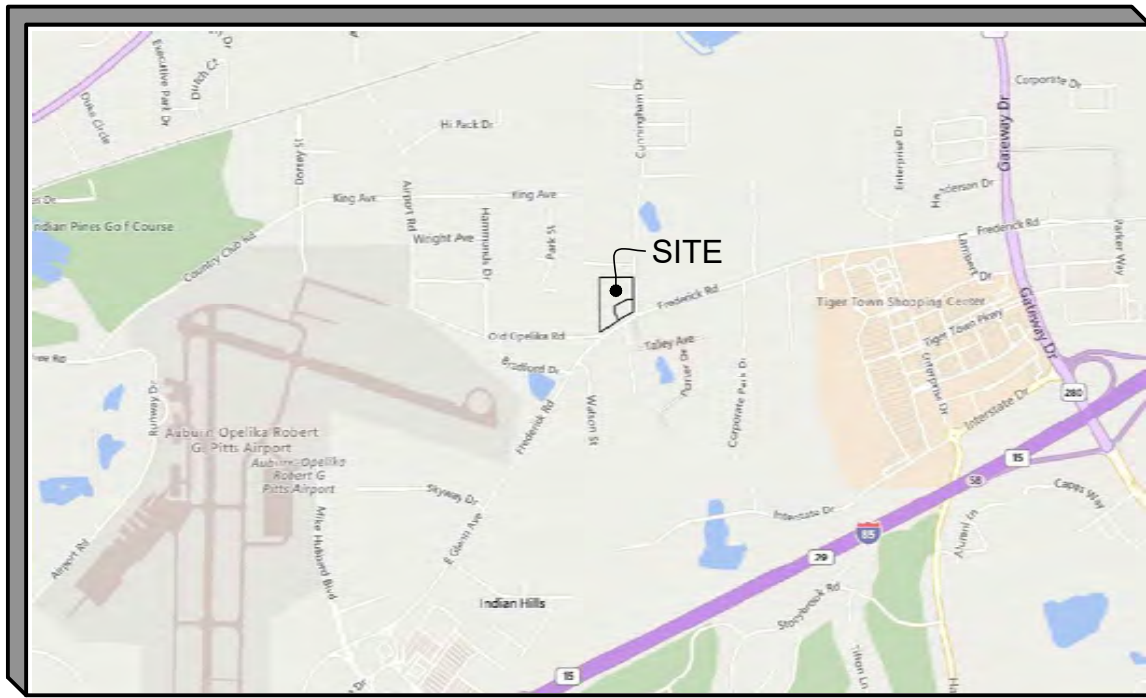
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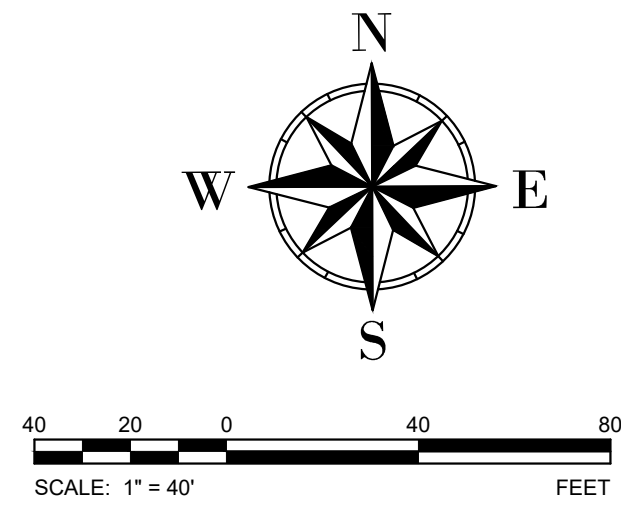
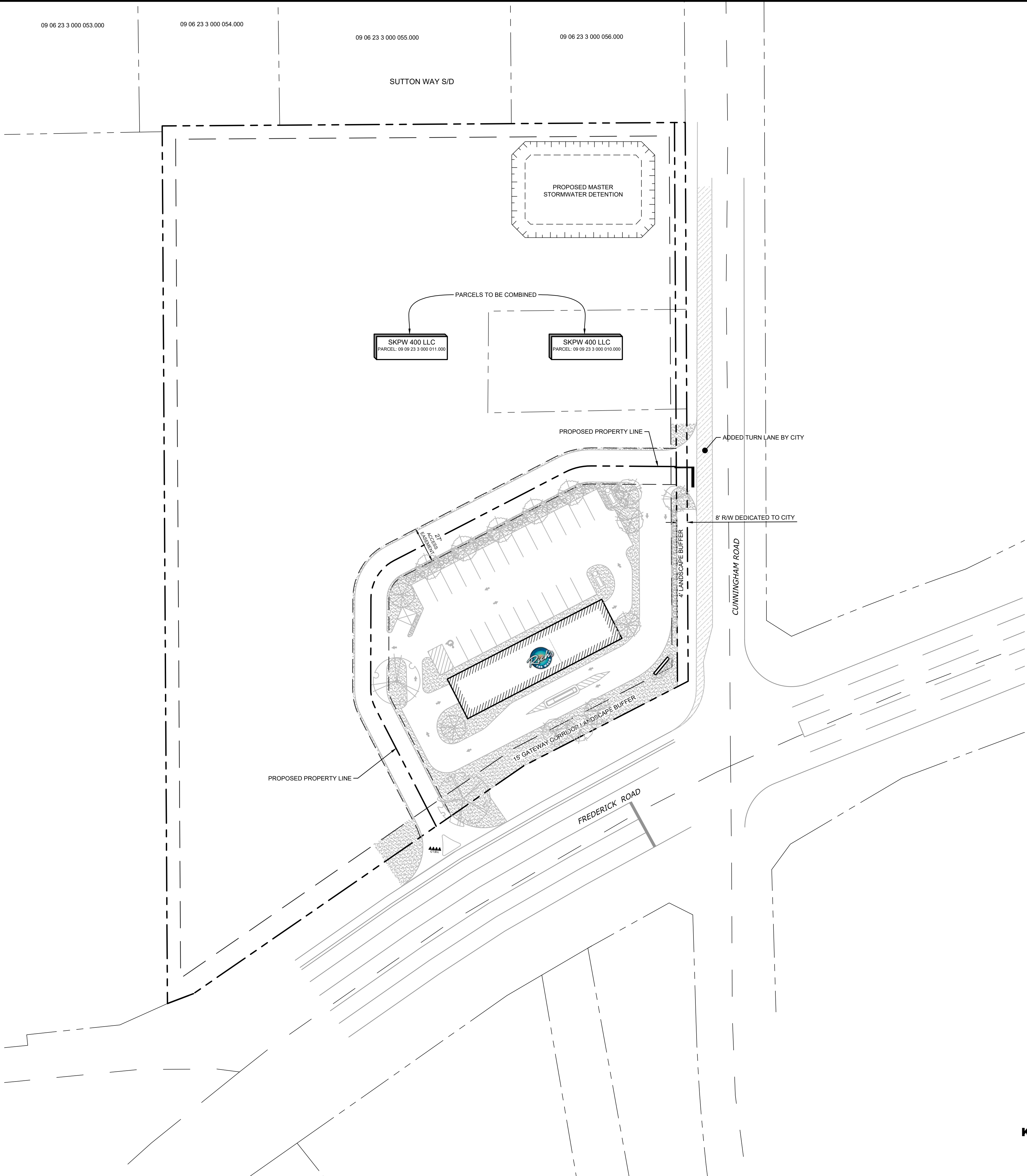
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SHEET #

CS-100



VICINITY



**BOLT ENGINEERING INC**

**CIVIL ENGINEERING • LAND PLANNING**

100 SOUTH 7TH STREET  
OPELIKA, AL 36801

phone 334.744.4016 | www.boltengineering.net



CONDITIONAL USE SITE PLAN

**RICH'S CAR WASH**

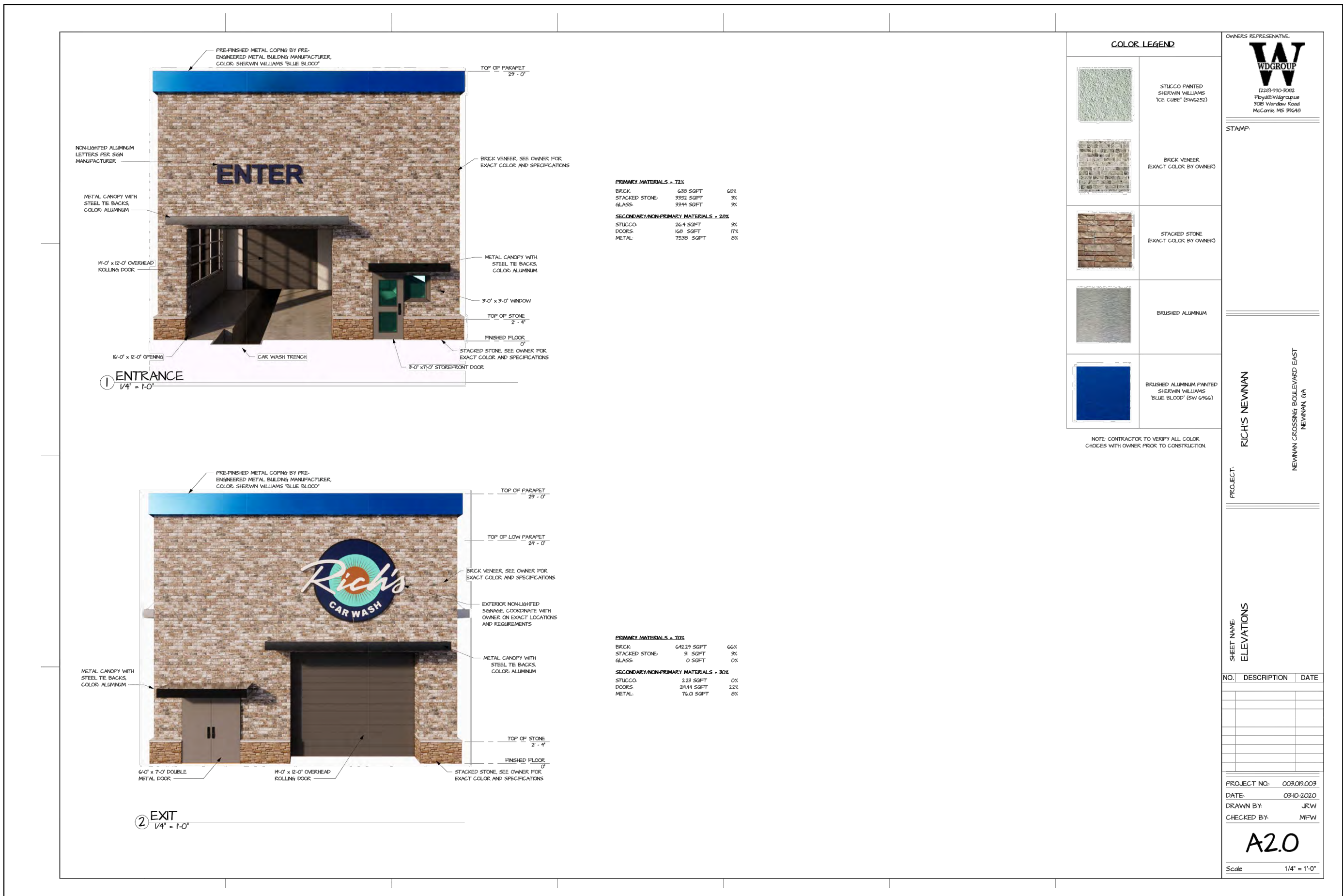
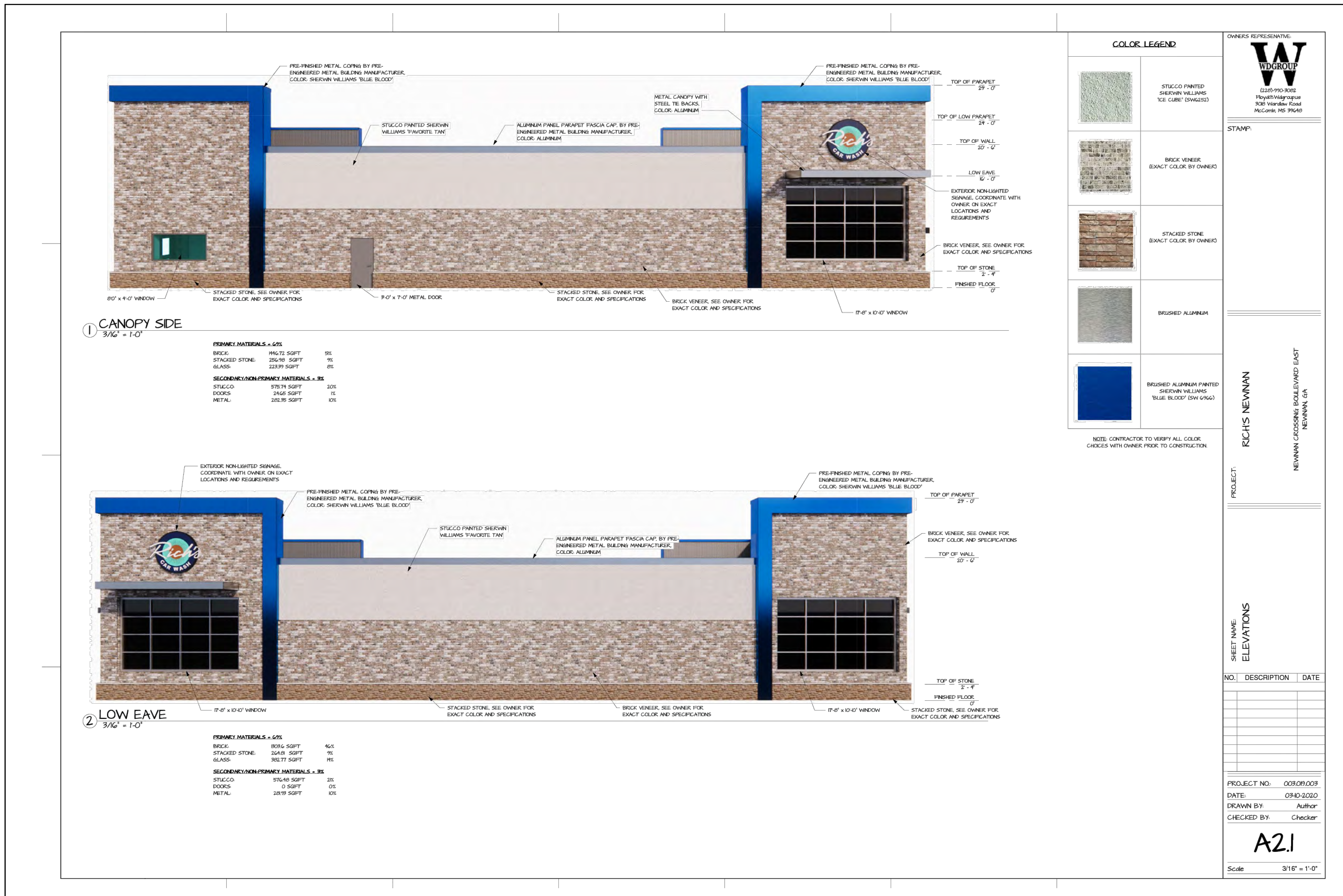
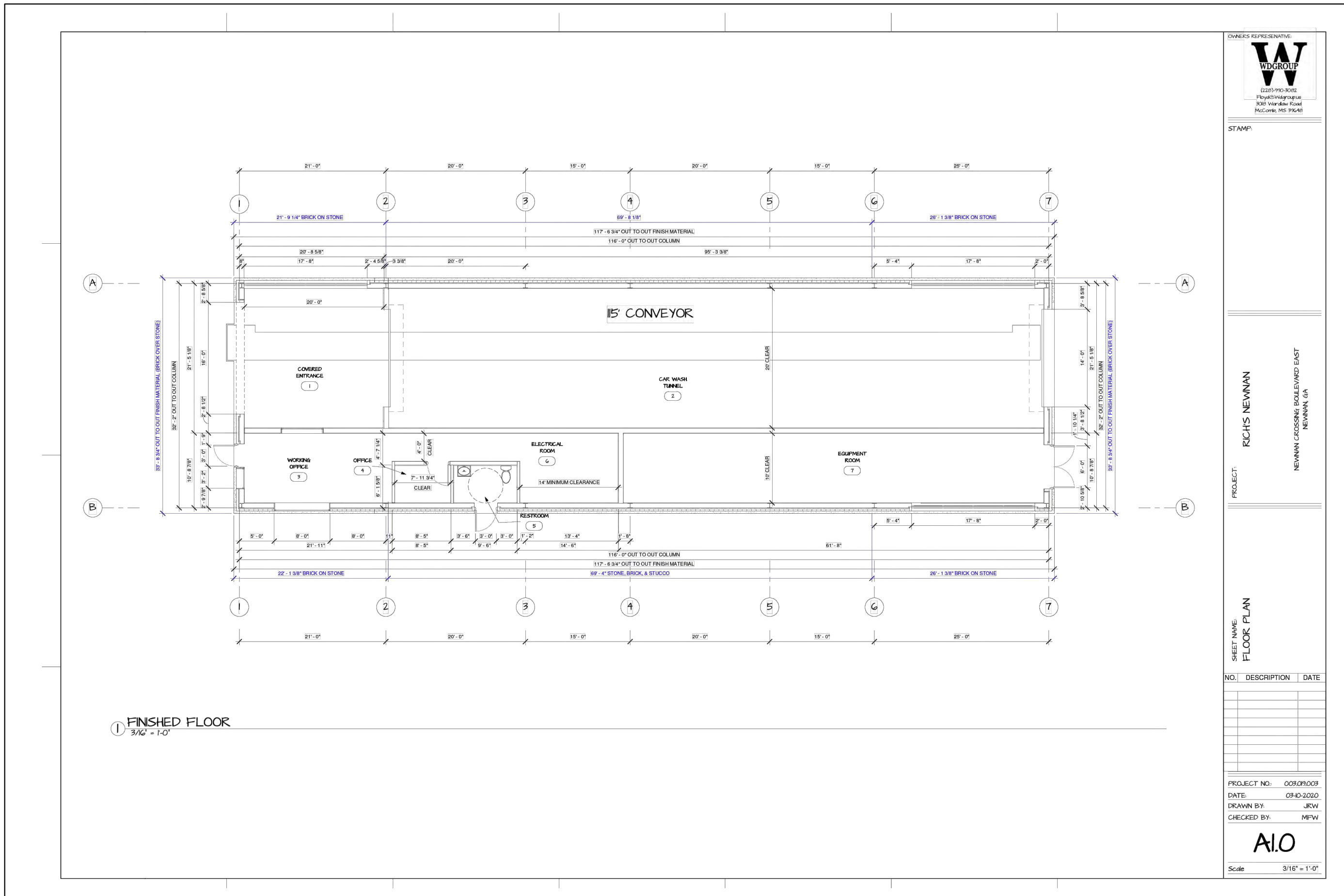
OPELIKA, LEE COUNTY, ALABAMA  
SECTION 23, TOWNSHIP 19 NORTH, RANGE 26 EAST

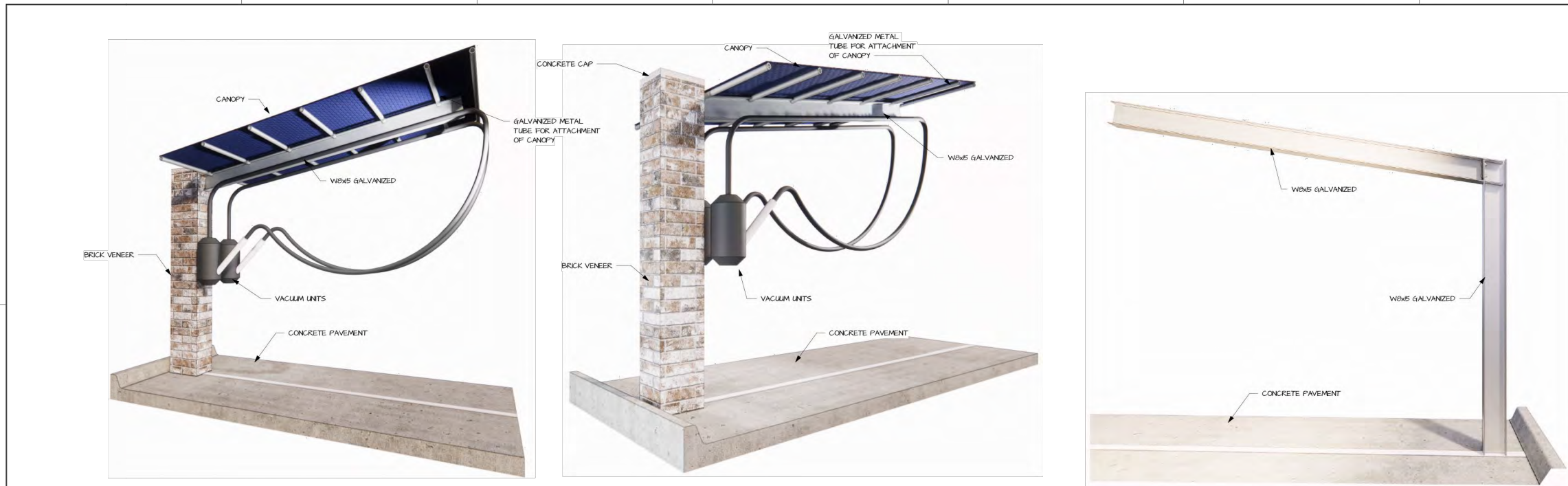
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| INITIAL DATE: 02/28/23 |
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SHEET #

CS-101

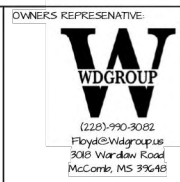




1 VACUUM CANOPY ELEVATION, ISOMETRIC, AND STRUCTURAL RENDERS  
NOT TO SCALE



2 DUMPSTER ELEVATION AND ISOMETRIC  
NOT TO SCALE



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RICH'S NEWMAN

SHEET NAME:  
VACUUM CANOPY & DUMPSTER  
ELEVATIONS & ISOMETRICS

NO. DESCRIPTION DATE

PROJECT NO.: 00000000  
DATE: 09-01-2020  
DRAWN BY: Author  
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RICH'S NEWMAN

SHEET NAME:  
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DATE: 09-01-2020  
DRAWN BY: Author  
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RICH'S NEWMAN

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RENDERINGS

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DATE: 09-01-2020  
DRAWN BY: Author  
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PROJECT:  
RICH'S NEWMAN

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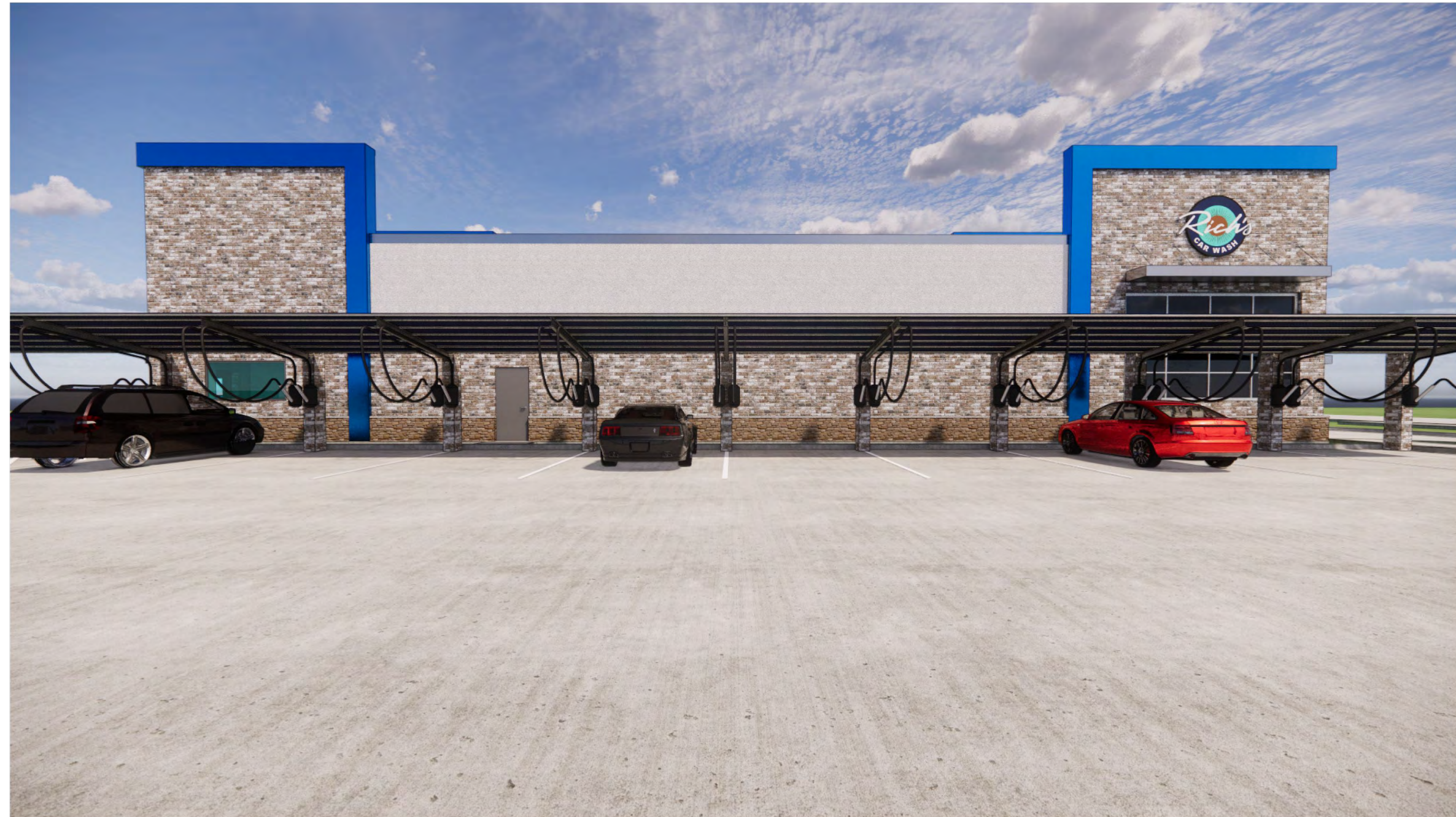
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JOB NO.: 2303  
INITIAL DATE: 02.28.23  
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SHEET #



DESIGN REPRESENTATIVE  
**W**  
WILLIAMSON  
Professional Engineer  
300 North 4th Street  
Pell City, AL 36561

STAMP

PROJECT: RICH'S NEWMAN  
NEWMAN ENGINEERING • LAND PLANNING  
NEWMAN, AL 36561

DATE: 09-10-2020  
DRAWN BY: Author  
CHECKED BY: Checker

PROJECT NO.: 00000000  
DATE: 09-10-2020  
DRAWN BY: Author  
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DESIGN REPRESENTATIVE  
**W**  
WILLIAMSON  
Professional Engineer  
300 North 4th Street  
Pell City, AL 36561

STAMP

PROJECT: RICH'S NEWMAN  
NEWMAN ENGINEERING • LAND PLANNING  
NEWMAN, AL 36561

DATE: 09-10-2020  
DRAWN BY: Author  
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PROJECT NO.: 00000000  
DATE: 09-10-2020  
DRAWN BY: Author  
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DESIGN REPRESENTATIVE  
**W**  
WILLIAMSON  
Professional Engineer  
300 North 4th Street  
Pell City, AL 36561

STAMP

PROJECT: RICH'S NEWMAN  
NEWMAN ENGINEERING • LAND PLANNING  
NEWMAN, AL 36561

DATE: 09-10-2020  
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JOB NO.: 2303  
INITIAL DATE: 02-28-23  
SCALE: N/A

SHEET #

Annex 000108-2023

AGENDA ITEM # 7



# PETITION FOR ANNEXATION

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801

P:(334) 705-5156 F:(334) 705-5159

PC DEADLINE: 3-7-2023 PC MEETING: 3-28-2023



**SITE ADDRESS:** No Address Established - South of/Adjacent to 2730 Shelton Mill Road (Lee 97)

**PROPERTY OWNER:** The Infinity Group LLC

**APPLICANT:** The Infinity Group LLC, David A Gethers, Managing Member

**MAILING ADDRESS:** PO Box 2684, Auburn, AL 36831-2684

**PHONE NUMBER:** 334-319-4221 **FAX NUMBER:** 334-742-9040

**EMAIL ADDRESS:** theinfinitygroup@bellsouth.net

## PARCEL INFORMATION

Tax Parcel Number: 43 09 02 09 0 000 006.003

Street Address: No Address Established (Fronts Shelton Mill Road) - Recorded as '0 US Hwy 280 West'

Current Land Use: Cleared/Vacant Proposed Zoning: C-2

Adjacent Zoning Districts (if applicable): North: C-2 South: County East: County West: C-2

Description of proposed use: Office

Ownership Configuration: ☒ single parcel/single ownership ☐ multiple parcels/single ownership

☐ single parcel/multiple ownership ☐ multiple parcels/multiple ownership

1. Is this property(s) contiguous with Opelika City limits? Yes

2. What is the population of proposed annexed area? 5 Office Staff/40 Employees-When Complete

3. What is the population by race? 26 White, 16 Black, 3 Hispanic, Asian, Other

4. How many registered voters reside in proposed annexed area? Non-Residential

5. Are there any businesses in proposed annexed area? To Be Built

List type of business and location: Administrative Office Building for Cleaning Solutions

Proposed Zoning: C-2

Fee: ~~\$250.00~~ per dwelling or ~~\$250.00~~ per business *vacant property*

TOTAL = ~~250.00~~

PAID ~~250.00~~ *no fee*

OWNERS SIGNATURE: David A Gethers

(PRINT NAME) David A Gethers, Managing Member

DATE: 3-1-2023

**CITY OF OPELIKA**  
**Planning Commission**  
**Planning Department Report**

---

**Meeting Date:** March 28, 2023

**Agenda Item:** C-7

**Action Requested:** Annexation

**Location of Property:** 2700 Block of Shelton Mill Road

**Property Owner:** The Infinity Group, LLC, David A. Gethers, managing member.

**Current Zoning:** PJ (Planning Jurisdiction)

**Proposed Zoning:** R-1 with rezoning request to C-2

**Existing Land Use:** Undeveloped

**Adjacent Zoning/Land Use:** North: C-2 and R-2 (The Infinity Group Office and Residential)  
South: PJ (Undeveloped)  
East: PJ (Undeveloped)  
West: C-2 (Undeveloped)

**Staff Comments:**

The applicant is requesting to annex one lot described as 46,860 square feet. The property is currently undeveloped. The property is located on Shelton Mill Road next to the Opelika city limits line to the north and west.

The city limits are adjacent to the annexation property on two sides. The property owners have provided plans to build an office building for a cleaning service. The property owners wish to annex this portion of the property to gain access to Opelika sewer services.

Section 5.3 of the City of Opelika Zoning Ordinance states that all properties annexed into the City will receive an R-1 zoning designation. The applicant is requesting a C-2 zoning district. The Planning Commission agenda has a rezoning request for this lot to be in the desired C-2 zoning district. The lot meets the annexation requirements being contiguous at two points or more.

**Staff recommends the Planning Commission send a positive recommendation to City Council to annex the 46,860 square feet.**

---

### **Engineering Department Report**

The Engineering Department has no comments or concerns regarding this annexation request.

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### **Opelika Utilities Board Report**

Water service is only available via proposed water easement corridor to U.S. Highway 280. No other comments.

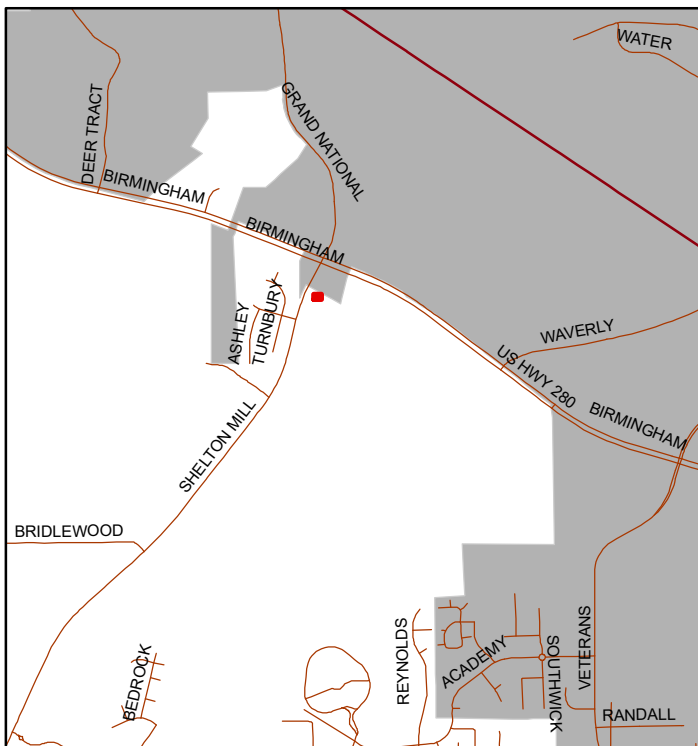
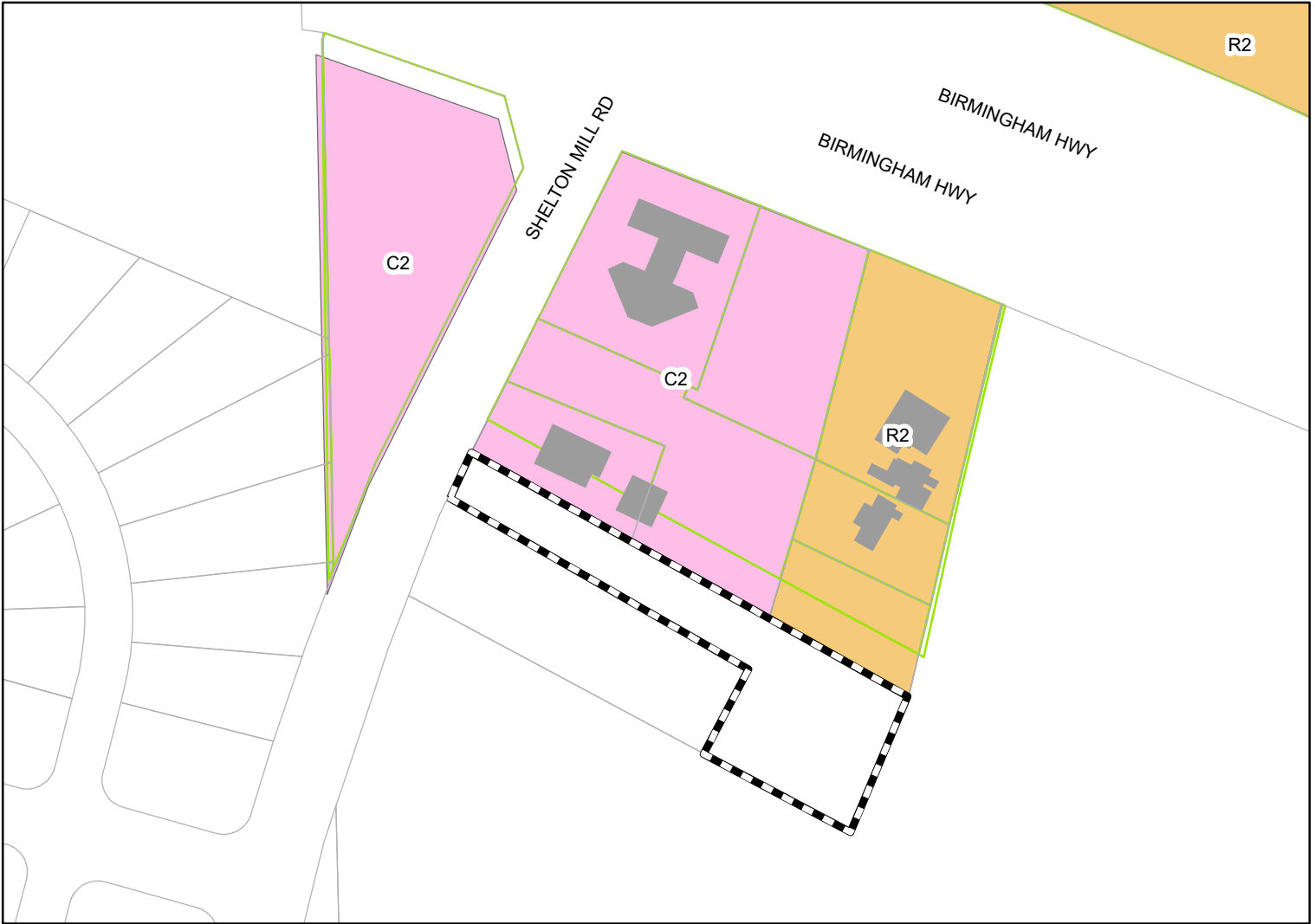
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### **Opelika Power Services Report**

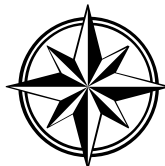
This subdivision is outside the Opelika Power Service territory.

---

# THE INFINITY GROUP ANNEXATION AND REZONING 2700 BLOCK SHELTON MILL ROAD REQUESTING C-2 ZONING DISTRICT, C-7,8



The applicant is requesting to annex and zone 46,860 sf to a C-2 zoning district. A cleaning service business desires to locate on the property.



Subject Property

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without verification by an independent professional qualified to verify such information.

RZ 000106-2023

AGENDA ITEM #

8



## REZONING APPLICATION

PLANNING DEPARTMENT

700 FOX TRAIL

OPELIKA, AL 36801



PC DEADLINE: 3/7/23 PC MEETING: 3/28/23

PROPERTY OWNERS/

AUTHORIZED REPRESENTATIVE: THE INFINITY GROUP LLC, DAVID A GETHERS

MAILING ADDRESS: P.O. Box 2684, Auburn, AL 36831-2684

PHONE NUMBER: 334-742-8010 Email: THEINFINITYGROUP@BELLSOUTH.NET

## PARCEL INFORMATION

Site Address: NO ESTABLISHED ADDRESS - NORTH OF 2730 SHELTON MILL RD.

Description of proposed use: OFFICE BUILDING

Tax Parcel Number: 43 09 02 09 0 000 006.003

Adjacent Zoning Districts: North: C-2 South: LEE COUNTY East: LEE COUNTY West: C-2

Current Land Use: VACANT

Current Zoning: N/A - LEE COUNTY

Proposed Zoning: C-2

Number of APO: 6 x \$7.00 = \$42.00  
(Adjacent Property Owners)

Fee: \$125.00

TOTAL

= \$167.00

PAID: PK# 1203

I hereby request my property located at (street address) NORTH OF 2730 SHELTON MILL RD.

Tax Map parcel number 43 09 02 09 0 000 006.003 be rezoned from

LEE COUNTY to C-2. A copy of the tax area map, a survey of the property, a copy of the deed for the property, and the names and addresses of all adjoining property owners are enclosed. I understand that the City may require additional information, or waive certain requirements, at any time during the process.

OWNERS OR AUTHORIZED  
REPRESENTATIVE SIGNATURE:

(PRINT NAME)

DAVID A GETTERS, MANAGING MEMBER

DATE

3-1-2023

**City of Opelika**  
**Planning Commission**  
**Planning Department Report**

---

|                                  |                                                                                                                                             |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Meeting Date:</b>             | March 28, 2023                                                                                                                              |
| <b>Agenda Item #:</b>            | C-8                                                                                                                                         |
| <b>Action Requested:</b>         | Rezoning to C-2 (Office Retail)                                                                                                             |
| <b>Location of Property:</b>     | 2700 Block of Shelton Mill Road                                                                                                             |
| <b>Property Owner(s):</b>        | The Infinity Group, LLC, David A. Gethers, managing member.                                                                                 |
| <b>Current Land Use:</b>         | Undeveloped                                                                                                                                 |
| <b>Current Zoning:</b>           | Planning Jurisdiction, subject to City Council approving the annexation and then rezoning the property from R-1 to C-2.                     |
| <b>Adjacent Zoning/Land Use:</b> | North: C-2 and R-2 (The Infinity Group Office & vacant lot)<br>South: PJ (Undeveloped)<br>East: PJ (Undeveloped)<br>West: C-2 (Undeveloped) |

**Staff Comments:**

The applicant requests to rezone the property at 2700 Block of Shelton Mill Road (subject to the annexation approval by City Council) from the standard R-1 zoning requirement upon annexation to C-2 (Office Retail). The lot will meet the C-2 zoning requirements. The applicant has proposed building an office building for a cleaning service with an administrative staff office, a meeting area, and a small storage area. The proposed lot and building layouts have been shared and are attached at the end of this report. The rezoning from R-1 to C-2 would allow the proposed use of an office building on this lot or any other uses currently allowed by right in our Zoning Ordinance.

Just beyond this block of Shelton Mill Road, the area is transitioning into the Auburn city limits on the road's north (related to this property) side (see the map attached). The area to the south is primarily a large lot and undeveloped. The lots surrounding this area to the north and east are inside the Opelika city limits and are mostly zoned C-2. A small area with a vacant lot is zoned R-2 next to the rear area of the subject lot. If you look at the area, the primary uses surrounding this lot are residential, office, and gas station. Being so close to the intersection of Birmingham Highway and Shelton Mill Road, the zoning of C-2 is appropriate between high traffic uses and lower traffic uses like residential ones. C-2 (Office Retail) uses that would be by right in this

zone are defined in the ordinance as “areas for offices and neighborhood small retail uses. Other uses would include residential, banks, fast food, convenience stores, or similar (Section 6.4 Purpose and Intent of Zoning Districts).”

**Staff recommends approval of the rezoning request from R-1 to C-2 subject to the following:**

- **City Council approving the annexation.**

---

### **Engineering Department Report**

The Engineering Department has no comments or concerns regarding this rezoning.

---

### **Opelika Utilities Board Report**

Water service is only available via proposed water easement corridor to U.S. Highway 280. No other comments.

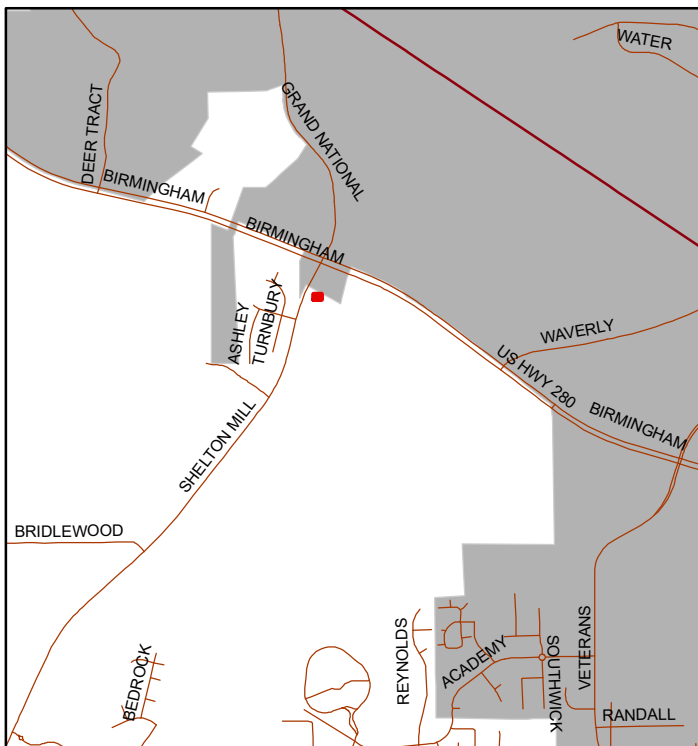
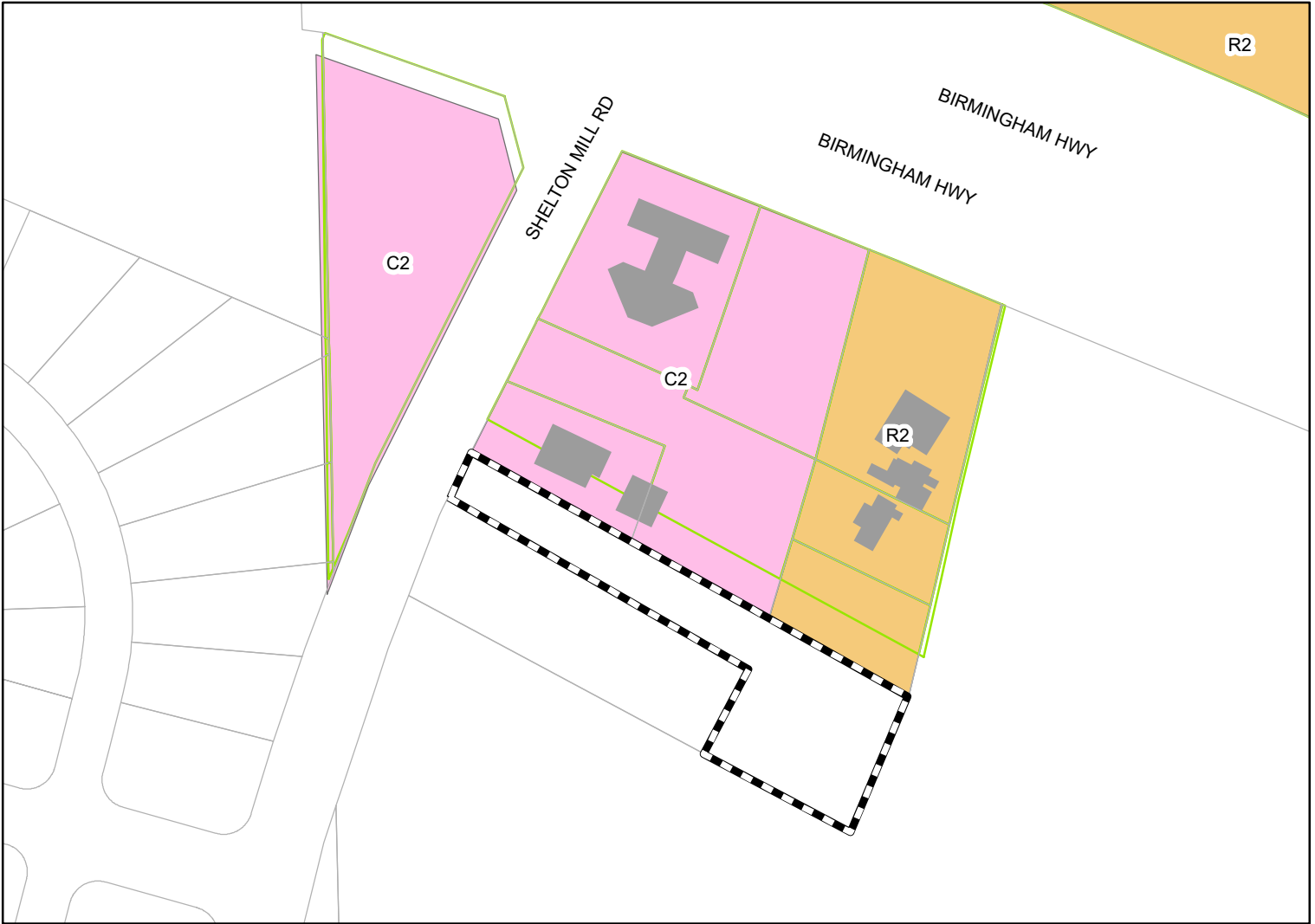
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### **Opelika Power Services Report**

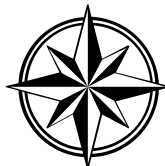
This subdivision is outside the Opelika Power Service territory.

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# THE INFINITY GROUP ANNEXATION AND REZONING 2700 BLOCK SHELTON MILL ROAD REQUESTING C-2 ZONING DISTRICT, C-7,8

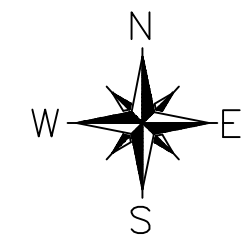


The applicant is requesting to annex and zone 46,860 sf to a C-2 zoning district. A cleaning service business desires to locate on the property.



Subject Property

The City of Opelika does not guarantee this map to be free from errors or inaccuracies. The City of Opelika, Alabama disclaims any responsibility or liability for interpretations from this map or decisions based thereon. The information contained on this map is a general representation only and is not to be used without verification by an independent professional qualified to verify such information.

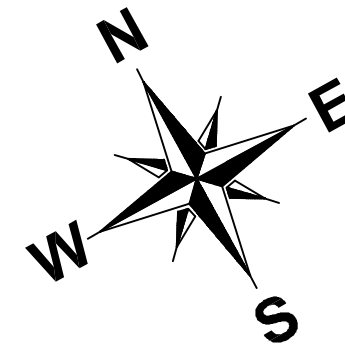


### VICINITY MAP

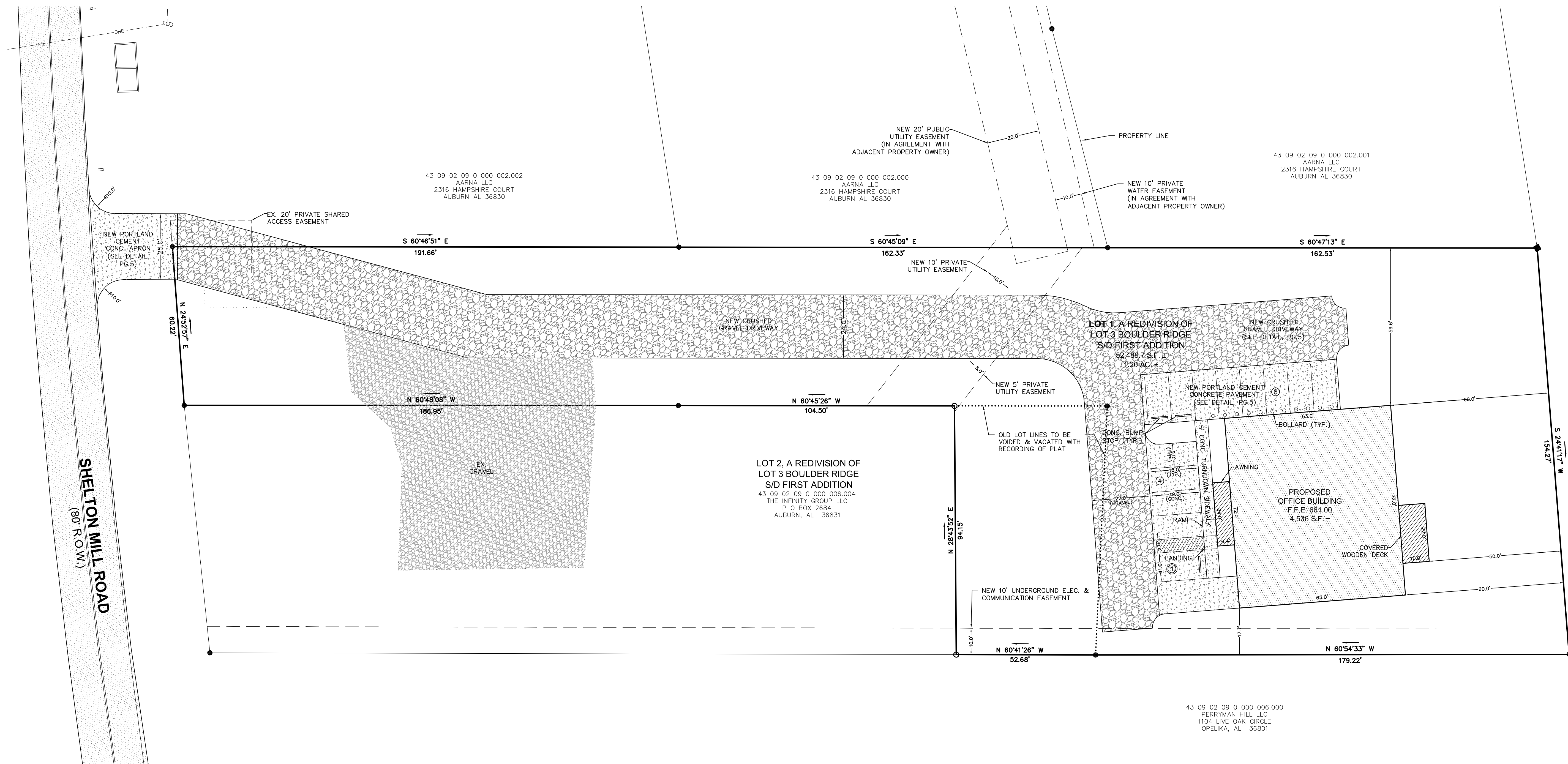
NOT TO SCALE

- NOTES**
1. ALL MECHANICAL EQUIPMENT MUST BE SCREENED FROM PUBLIC VIEW.
  2. EROSION CONTROL BLANKETS WILL BE REQUIRED ON SLOPES STEEPER THAN 3:1. NO SLOPES SHALL BE STEEPER THAN 2:1.
  3. EXISTING SERVICES TO BE ABANDONED SHALL BE TERMINATED AT THE MAIN.
  4. NOTIFY OWWB OF ANY SCHEDULED OUTAGES 7 DAYS PRIOR TO THE OUTAGE.
  5. ONLY OWWB PERSONNEL ARE AUTHORIZED TO OPERATE OWWB VALVES.

LOT NAME: LOT 1, A REDIVISION OF LOT 3 BOULDER RIDGE SUBDIVISION  
FIRST ADDITION  
LOT SIZE: 52,469.7 S.F.± (1.20 AC. ±)  
EXISTING USE: VACANT  
PROPOSED USE: OFFICE  
PROVIDED SPACES : 13  
IMPERVIOUS SURFACE : 7,816 S.F.  
I.S.R ACTUAL: 0.15  
STORIES: 1  
TOTAL F.A.R. ACTUAL: 0.09  
FLOOD HAZARD INFORMATION : ZONE X  
EAVE HEIGHT: 12'



**SCALE: 1"= 20'**



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2004 Yarbrough Drive, Ste A  
Opelika, Alabama 36801  
Phone: (334) 748-9200  
Web: [www.baseline-tlc.com](http://www.baseline-tlc.com)

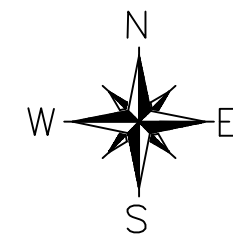
**BASILINE**  
SURVEYING & DESIGN, LLC

# NEW OFFICE SITE FOR THE INFINITY GROUP

LEE COUNTY

SHEET  
2 OF 7

[illegible]

[illegible]

NOT TO SCALE

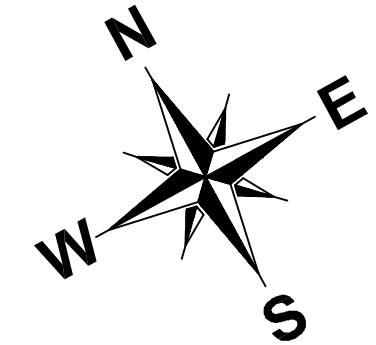
| DESCRIPTION           | NUMBER | POINTS | SIZE     |
|-----------------------|--------|--------|----------|
| DWARF BUFORD HOLLY    | 15     | 15     | 3 GAL    |
| KOREAN BOXWOOD        | 13     | 13     | 3 GAL    |
| VARIEGATED CLEYERA    | 10     | 10     | 3 GAL    |
| AUTAUGA CRAPE MYRTLE  | 3      | 15     | 1.5" CAL |
| EASTERN REDBUD        | 3      | 15     | 1.5" CAL |
| SHUMARD OAK           | 2      | 16     | 1.5" CAL |
| RED MAPLE             | 2      | 16     | 1.5" CAL |
| TULIP POPLAR          | 3      | 33     | 2.5" CAL |
| WHITE OAK             | 2      | 22     | 2.5" CAL |
| TOTAL POINTS PROVIDED |        | 155    |          |

 PINESTRAW BED

 GRASS (SOD)

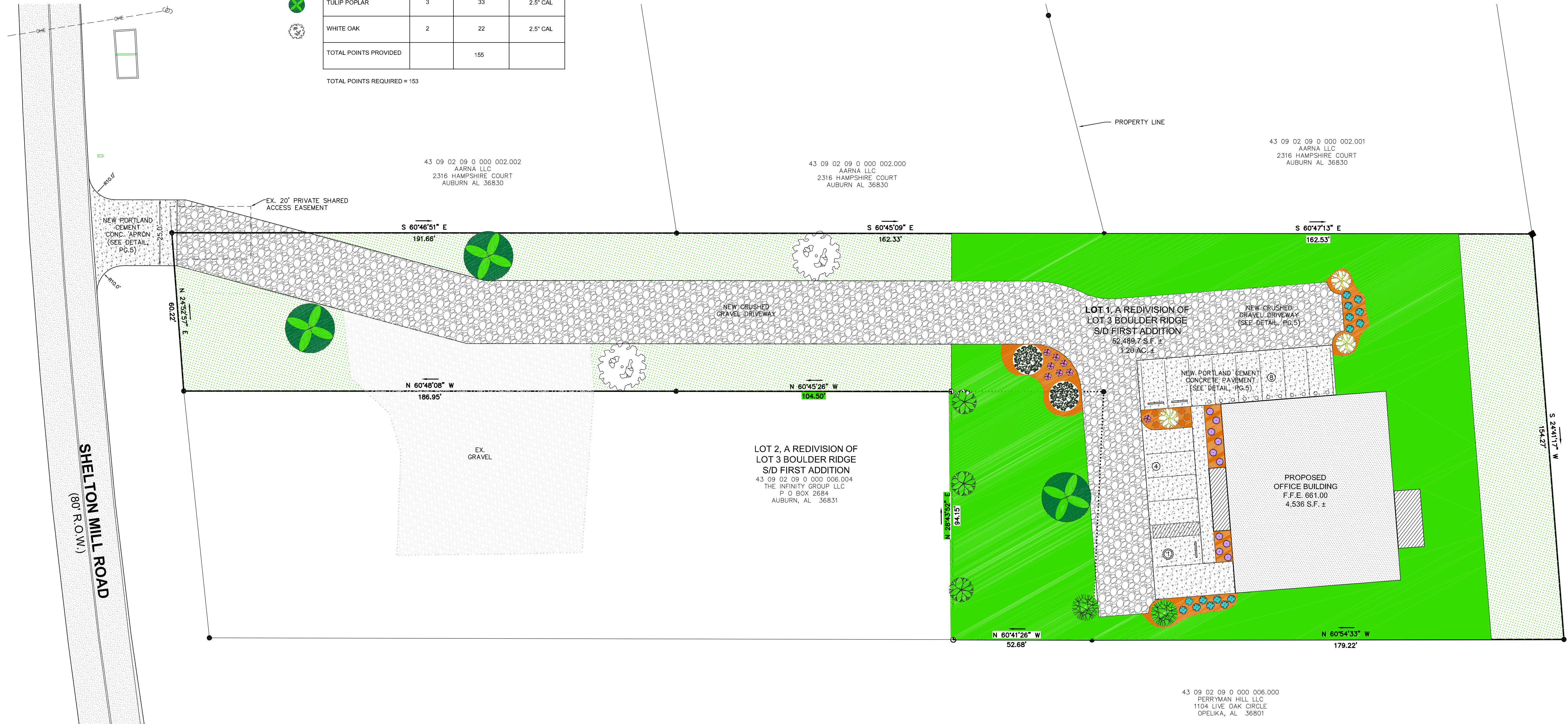
 GRASS (SEEDED AND MULCHED)

- LOT NAME: LOT 1, A REDIVISION OF LOT 3 BOULDER RIDGE SUBDIVISION,  
FIRST ADDITION  
LOT SIZE: 52,489.7 S.F.± (1.20 AC. ±)  
EXISTING USE: VACANT  
PROPOSED USE: OFFICE  
PROVIDED SPACES : 13  
IMPERVIOUS SURFACE : 7,816 S.F.  
I.S.R ACTUAL: 0.15  
STORIES: 1  
TOTAL F.A.R. ACTUAL: 0.09  
FLOOD HAZARD INFORMATION : ZONE X  
EAVE HEIGHT: 12'



20 10 0 20 40

SCALE IN FEET



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Opellka, Alabama 36801  
Phone: (334) 748-9200  
Web: [www.basellne-llc.com](http://www.basellne-llc.com)



# NEW OFFICE SITE FOR THE INFINITY GROUP SITE LANDSCAPING PLAN

ALABAMA

LEE COUNTY

SHEET  
OF 1

Code Info

Design Per 2021 I.B.C.

Building Area Total 4,536 S.F.  
Business Area - 2,827 S.F.  
Business Support - 703 S.F.  
Separated Laundry-Storage Area 1006 S.F.

Construction Type  $\overline{\text{V}}$ - B

Occupancy B  
Occupancy Load 29

Energy Code Compliance - 2015 IECC

Roof - R-19 + R-11 LS  
Walls - R-13 + R-6.5 ci  
Floor - No Requirement , Unheated Slab

Exterior Doors - Insul. Metal - U-0.35 , SHGC - 0.27  
Exterior Windows - U-0.35 , SHGC - 0.27

All Construction Shall Meet All Requirements Of 2021 IBC , 2015 IECC , 2020 NEC

Notes

Provide Tactile And Braille Exit Signs  
Adjacent To Each Exterior exit Door.

(F) Fire Extinguisher , Type A,B,C, In Cabinet , 5 Ib.

Door Schedule

- (1) 3'-0" X 6'-8" , 3/4 Glass W/ 18" Side Lites, Outswing , Wood Solid Core  
In Hollow Metal Frame Provide 3 Butts , Latch Set , Closer  
Dead bolt Lock W/ Thumb Piece Inside U-0.35 , SHGC-0.27
- (2) 3'-0" X 6'-8" , Outswing , Hollow Metal  
In Hollow Metal Frame Provide 3 Butts , Latch Set , Closer  
Dead bolt Lock W/ Thumb Piece Inside U-0.61 , SHGC-0.40
- (3) 3'-0" X 6'-8" S.C. Wood In Wood Frame , Pass Set
- (4) 3'-0" X 6'-8" S.C. Wood In Wood Frame , Lock Set
- (5) 3'-0" X 6'-8" S.C. Wood In Wood Frame , Privacy Set
- (6) 2'-6" X 6'-8" S.C. Wood In Wood Frame , Privacy Set
- (7) 2-2'-6" X 6'-8" S.C. Wood In Wood Frame , Pass Set
- (8) 8'-0" X 10'-0" Metal Panel Overhead Garage Door ,  
MFR. Standard Hdw. & Lock R-4.75
- (9) 3'-0" X 6'-8" , 1 Hour Rated , S.C. Wood In Hollow Metal Frame W/ Closer

Window Schedule

- (A) 3'-0" X 3'-0" Insul. Metal , Fixed
- (B) 2 - 3'-0" X 3'-0" Insul. Metal , Fixed

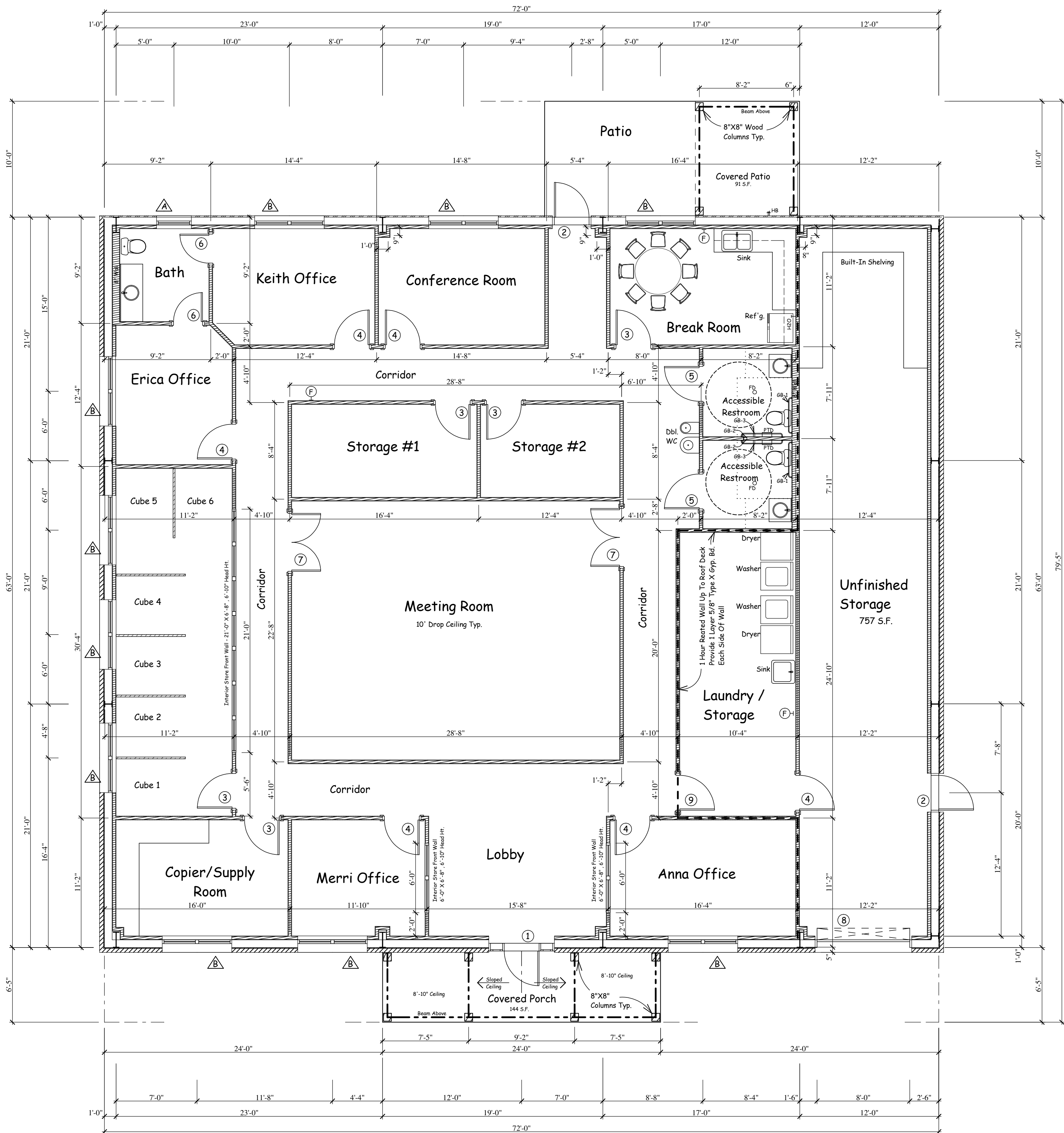
Max. U = 0.35 , Max. SHGC = 0.27

General Notes :

1. All Work Shall Meet 2015 I.B.C. , 2015 I.E.C.C. , State & Local Codes.
2. Contractor Shall Verify All Conditions And Dimensions At Site Before Beginning Construction.  
Any Discrepancies Shall Be Reported To Nettles Architecture Company For Verification And / Or  
Correction Before Proceeding With Work. Contractor Shall Assume Responsibility For Errors  
That Are Not Reported.
3. Contractor Shall Insure Compatibility Of The Building With All Site Req't.
4. Site Work Design And Plans By Others.
5. Minimum Exterior Wall Insulation Per 2015 IECC , R-13 + R-6.5 CI  
Minimum Roof Insulation Per 2015 IECC , R-19 + R-11 LS
5. Structural Plans , Plumbing Plans , Mech. Plans , Electrical Plans By Others
6. This Facility To Be All Electric .

Pre-Engineered Steel Frame Building Systems :

1. The Complete Design Of Metal Building Including All Components Shown Or Not Shown On  
The Drawings Shall Be Accomplished By The Building Manufacturer To Meet All Applicable Codes.



Floor Plan

3/16" = 1'-0"  
4,536 S.F. Total Metal Building



Nettles Architecture

1139 Terrace Acres Drive Auburn Alabama 36830  
(334) 703 - 6360 Cell  
E-Mail : jwnarchitect@att.net

The Infinity Group LLC

2730 Shelton Mill Road , Auburn Al. 36830  
334 - 742 - 8010

A New Office For :  
Cleaning Solutions

Proj. No. 2215

Date : 10 - 31 - 2022

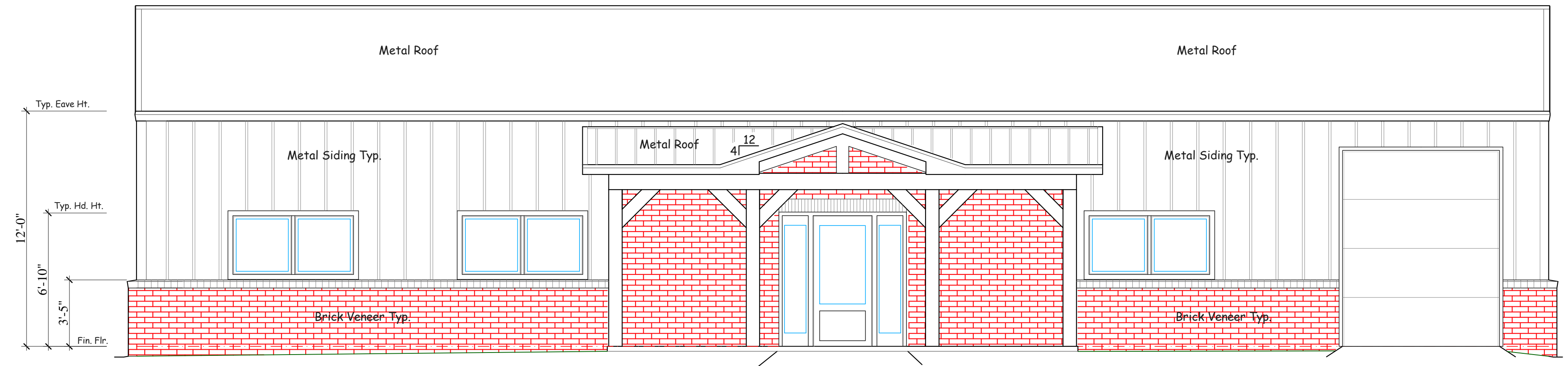
Rev. Date :

12-14-22  
2-13-23

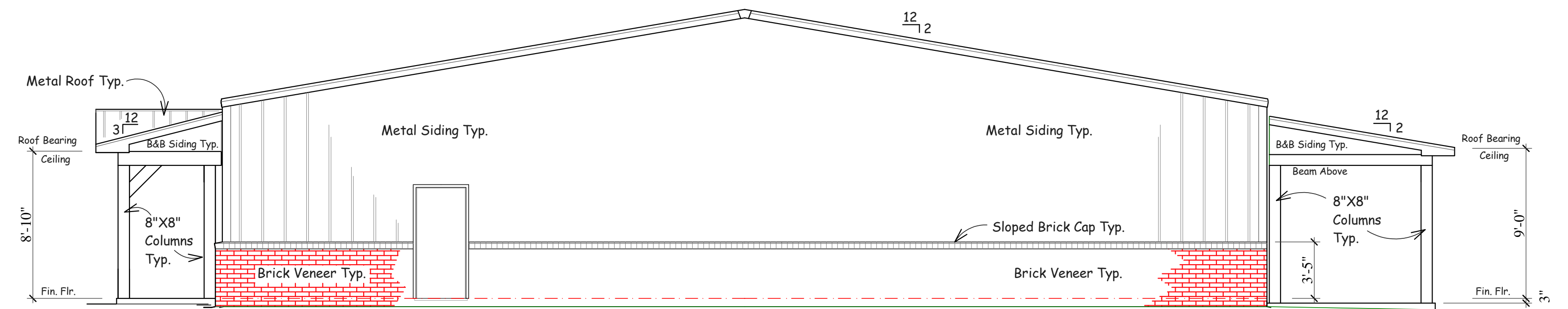
Drawn By :  
Chuck Locklin

A1 1 OF 4

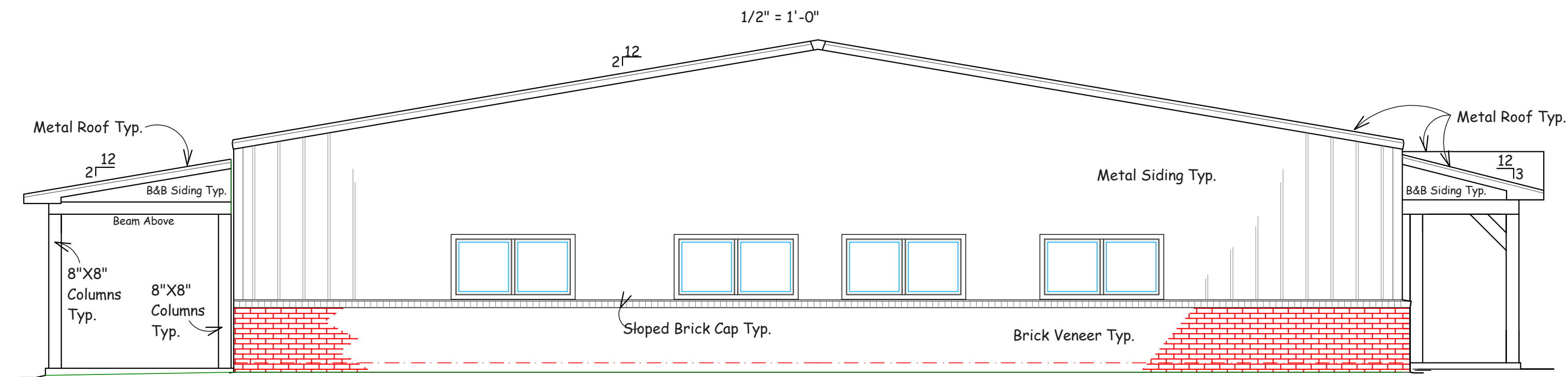




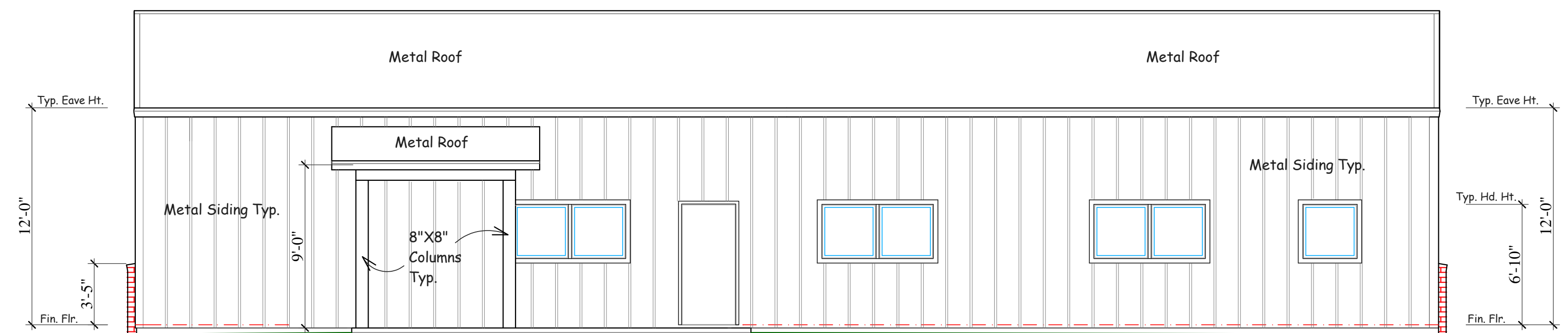
Front Elevation  
1/4" = 1'-0"



Right Side Elevation  
3/16" = 1'-0"



Left Side Elevation  
3/16" = 1'-0"



Rear Elevation  
3/16" = 1'-0"



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A3 3 OF 4

Legend

- Wall Switch Typ.
- Ceiling Mounted Light , See Owner
- Wall Mounted Light , See Owner
- Surface Mounted LED Light
- Duplex Receptacle Typ.
- Duplex Receptacle W/ Ground Fault Interrupt , 42" High Typ.
- Weather-Proof , Duplex Receptacle
- 220V Receptacle
- Directional Emergency Exit Light W/ Battery Back-Up Typ.
- Emergency Exit Light W/ Battery Back-Up Typ.
- Emergency Light W/ Battery Back-Up Typ.
- Exterior Emergency Light W/ Battery Back-Up Typ.
- Electrical Panel Typ. Verify Location On Site
- Exhaust Fan , Vent To Exterior Of Building Typ.
- Fire Extinguisher , Type A,B,C, In Cabinet , 5 Ib.

Light & Power Notes :

1.

All Work Shall Meet All N.E.C. Req't. & All Local & State Codes.
2.

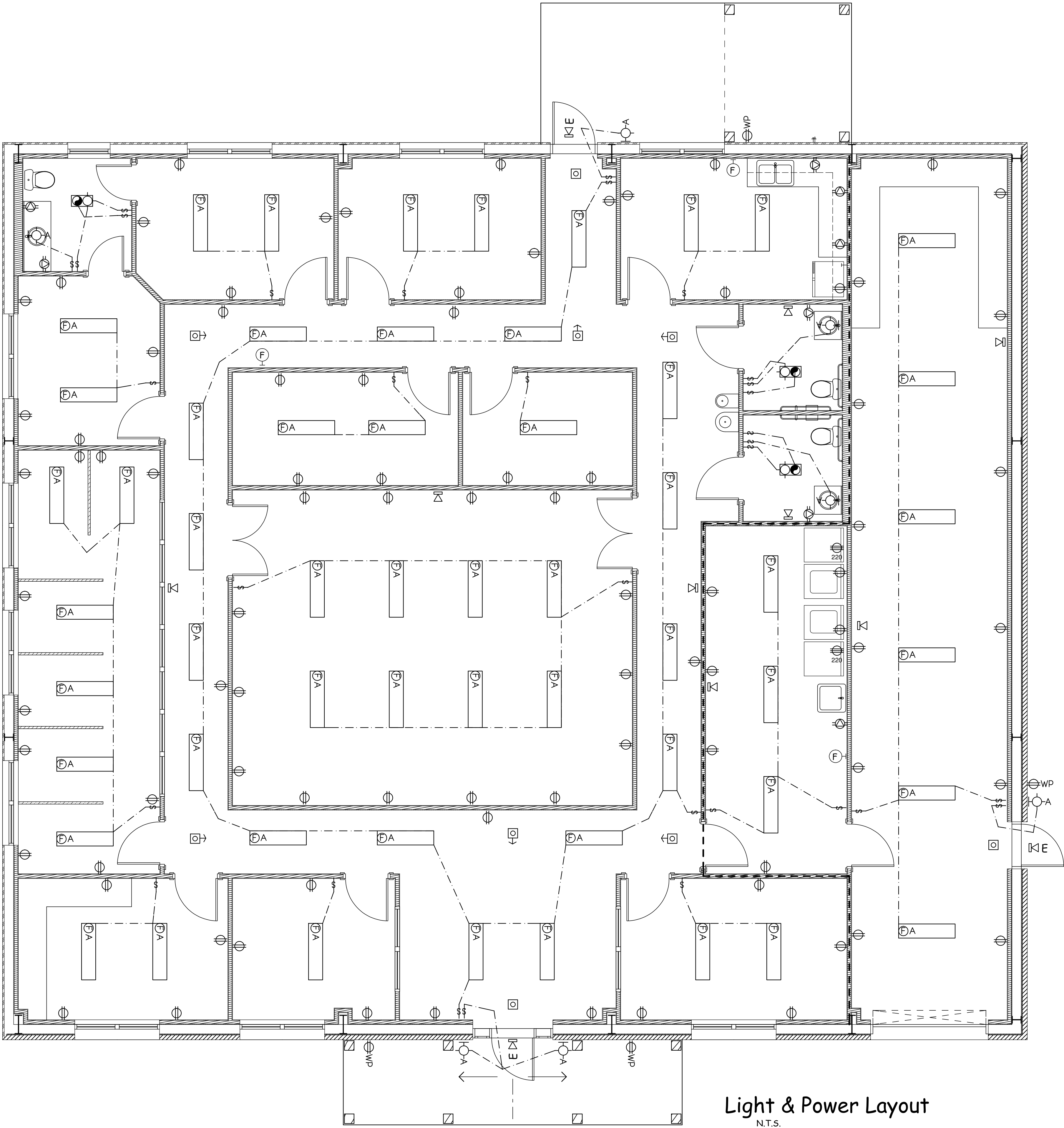
Verify Location Of Telephone & Cable Jacks On Site W/ Owner.
3.

Provide Light ( With Switch ) Above Attic Access & H.V.A.C. Locations As Req'd.
4.

Security System Designed By Others. Verify W/ Owner.
5.

Electrical Engineering Plans By Others
6.

Provide Power As Req'd. For HVAC System. HVAC Plans By Others



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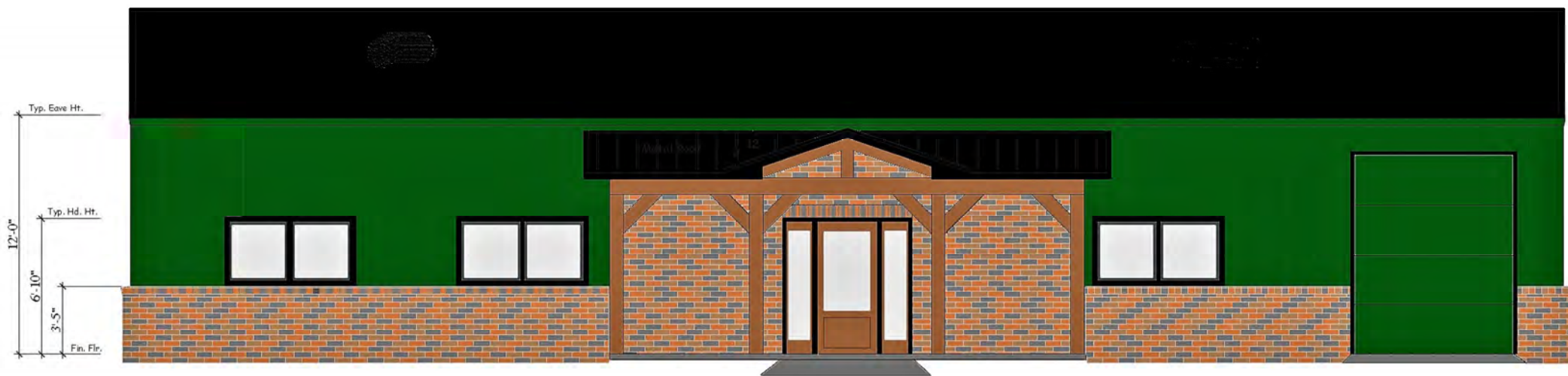
Date : 10 - 31 - 2022

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A4 4 OF 4



Front Elevation